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## Regulations

### TITLE 5—ADMINISTRATIVE PERSONNEL

#### Chapter I—Civil Service Commission

#### PART 20—WAR OVERTIME PAY REGULATIONS

##### Subpart A—Payment of Overtime Compensation OVERTIME COMPENSATION AND COMPENSATORY TIME OFF

Section 20.9 is amended to read as follows:

§ 20.9 *Overtime compensation.* In addition to his regular earned basic compensation, an employee shall be paid overtime compensation, computed as provided in § 20.12, for such employment officially ordered or approved as exceeds forty hours a week: *Provided, however,* That heads of departments and agencies may, in their discretion, elect to grant full-time per annum employees compensatory time off from duty without loss of pay in lieu of overtime compensation for such employment as may exceed forty-eight hours in any week. In the event that compensatory time off from duty for employment in excess of forty-eight hours in any week is not granted within ninety calendar days after such employment is performed, the employee shall be entitled, in lieu of such compensatory time off, to overtime compensation for such employment computed as provided in these regulations at the rate or rates of compensation which the employee received during the period of such employment: *Provided, however,* That such compensatory time off may, in the discretion of the head of the department or agency concerned, be granted (a) to seasonal employees at the completion of the season during which the employment is performed and (b) to employees serving at isolated posts outside the States of the United States and the District of Columbia within one year after the employment is performed.

Heads of departments and agencies may delegate to any officer or employee

authority to order or approve overtime in excess of the administrative workweek and to elect to grant compensatory time off from duty without loss of pay in lieu of overtime compensation as provided in this section. No overtime in excess of the administrative workweek shall be ordered or approved except by an officer or employee to whom such authority has been specifically delegated by the head of the department or agency.

By the United States Civil Service Commission.

[SEAL]

H. B. MITCHELL,  
President.

DECEMBER 6, 1943.

[F. R. Doc. 43-19576; Filed, December 8, 1943;  
9:14 a. m.]

### TITLE 7—AGRICULTURE

#### Chapter VII—War Food Administration (Agricultural Adjustment)

##### [Tobacco 813 (Burley) Part I]

##### PART 724—BURLEY TOBACCO

###### Subpart—1944-45

##### MARKETING QUOTA REGULATIONS

###### GENERAL

- Sec.  
724.611 Definitions.  
724.612 Extent of calculations and rule of fractions.  
724.613 Instructions and form.  
724.614 Applicability of regulations.

##### ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

- 724.615 Determination of acreage allotments for old farms.  
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#### ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

Sec.	
724.621	Determination of acreage allotments for new farms.
724.622	Time for filing application.
724.623	Determination of normal yields.

AUTHORITY: §§ 724.611 to 724.623, inclusive, issued under 52 Stat. 38, 47; 54 Stat. 392; 53 Stat. 1261; 56 Stat. 51; 7 U.S.C. 1301 (b), 1313; 52 Stat. 66; 7 U.S.C. 1376; Pub. Law 118, 78th Cong.; E.O. 7280, Dec. 5, 1942; E.O. 9322, March 26, 1943, as amended, by E.O. 9334, April 19, 1943; 54 Stat. 676; 55 Stat. 236; 56 Stat. 170.

#### GENERAL

§ 724.611 *Definitions.* (a) "County committee" means the group of persons elected within any county to assist in the administration of the Agricultural Conservation Programs in such county.

(b) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Agricultural Adjustment Agency, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(c) "New farm" means a farm on which tobacco was not produced in any of the five years 1939 to 1943 but on which tobacco will be produced in 1944.

(d) "Old farm" means a farm on which tobacco was produced in one or more of the five years 1939 to 1943.

(e) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(f) "Person" means an individual, partnership, association, corporation, estate or trust or other business enterprise or other legal entity and wherever applicable, a State, a political subdivision of a State or any agency thereof.

(g) "State committee" means the group of persons designated within any State to assist in the administration of the Agricultural Conservation Programs in such State.

(h) "Tobacco" means Burley tobacco as classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture, as type 31.

§ 724.612 *Extent of calculations and rule of fractions.* All acreages shall be calculated to the nearest one-tenth acre. All percentages shall be calculated to the nearest whole percent except that in calculating the percent of excess acreage, all fractions shall be dropped if the percentage is more than one percent, and all fractions of less than a tenth shall be dropped if the percentage is less than one percent.

§ 724.613 *Instructions and forms.* The Chief of the Agricultural Adjustment Agency shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out these regulations.

§ 724.614 *Applicability of regulations.* These regulations shall govern the establishment of farm acreage allotments and normal yields for Burley tobacco in connection with farm marketing quotas for tobacco for the marketing year beginning July 1, 1944.

#### ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 724.615 *Determination of acreage allotments for old farms.* The tobacco acreage allotment for an old farm shall be the final 1943 marketing quota allotment for the farm times 120 percent, adjusted in accordance with §§ 724.616, 724.617 and 724.618. For the purposes of this section, the final 1943 marketing quota allotment shall include any acreage by which the 1943 allotment for the farm was reduced because of a violation of the marketing quota regulations for the 1942-43 marketing year, but shall not include any acreage allotted in 1943 from State pools unless the owner of the farm was dispossessed of another farm through acquisition thereof by a Federal agency for National defense purposes. No allotment shall be established under this section for any farm on which no tobacco was grown in any of the five years 1939 to 1943, inclusive.

§ 724.616 *Reduction of acreage allotment for violation of the marketing quota regulations for a prior marketing year.* If tobacco was sold or was permitted to be sold in any marketing year on a marketing card for any farm which in fact was produced on a different farm, the acreage allotment established for both such farms for 1944 shall be reduced by the amount of tobacco so marketed: *Provided*, That such reduction shall not be made if the War Food Administrator, through the county committee, determines that no person connected with such farm caused, aided, or acquiesced in such marketing. If proof of the disposition of any amount of tobacco produced on a farm is not furnished as required by the War Food Administrator, the acreage allotment shall be reduced by such amount of tobacco. This section shall not apply if the allotment for any

prior year was reduced on account of the same violation.

The amount of tobacco involved will be converted to an acreage basis by dividing such amount of tobacco by the actual yield for the farm during the year in which such tobacco was produced, or if the actual yield cannot be determined, by the estimated yield for the farm for such year.

§ 724.617 *Adjustments by county committees.* An acreage not in excess of two percent of the 1940 acreage allotment for each State will be available for allotment by the respective county committees. An old farm shall be eligible for adjustment as provided hereunder (a) if the committee finds that the 1943 allotment for the farm is relatively smaller in relation to the land, labor and equipment available for the production of tobacco on the farm than the average of the allotments in relation to such factors on other old farms in the county, or (b) if tobacco was harvested on the farm in 1943 and no acreage allotment was established for the farm. In making the adjustment in the farm acreage allotment, the county committee shall consider the past acreage of tobacco (harvested and diverted), the land, labor and equipment available for the production of tobacco, and crop rotation practices. Without prior approval of the State committee, the acreage allotted under this section shall not exceed one percent of the county acreage allotment for 1940.

All adjustments as provided above shall be subject to the approval of the State committee.

§ 724.618 *Reallocation of allotments released from farms removed from agricultural production.* (a) Except as provided in paragraph (b) of this section, the tobacco allotment determined or which would have been determined for any land which is removed from agricultural production because of acquisition by a State or Federal agency for any purpose or by a person for use in connection with the national defense program shall be available to the State committee for use in providing equitable allotments for farms on which tobacco was grown in one or more of the past five years, and which are operated in 1944 by persons who were producers of tobacco on land so removed from agricultural production. Insofar as possible the allotments for farms operated by such persons shall be comparable to the allotments for other old farms in the same community which are similar with respect to land, labor and equipment available for the production of tobacco, crop rotation practices, soil and other physical factors affecting the production of tobacco, taking into consideration the allotment for the land removed from agricultural production. The allotment so determined shall be subject to the approval of the State committee and shall not exceed the larger of (1) the 1944 allotment previously determined for such land, or (2) the allotment which was or would have been determined for the land removed from agricultural production: *Provided*, That in no event shall the al-

lotment so determined exceed the larger of 20 percent of the acreage of cropland in the farm, or three acres.

(b) The allotment determined or which would have been determined for any land acquired on or since January 1, 1940 by any Federal agency for national defense purposes shall be placed in a State pool and shall be used in determining equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farm by a Federal agency for national defense purposes. Upon application to the county committee, any owner so displaced shall be entitled to have an allotment for any one of the other farms owned or purchased by him equal to an allotment which would have been determined for such other farm plus the allotment which would have been determined for the farm acquired by the Federal agency: *Provided*, That such allotment shall not exceed 20 percent of the acreage of cropland in the farm. The provisions of this paragraph shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of tobacco from the farm or by the owner of the farm at the time of its acquisition by the Federal agency; (2) any tobacco produced on such farm has not been accounted for as required by the War Food Administrator; or (3) if the allotment next to be established for the farm acquired by the Federal agency would have been reduced because of false or improper identification of tobacco produced on or marketed from such farm.

§ 724.619 *Farms subdivided or combined.* (a) If land operated as a single farm in 1943 or any previous year has subsequently been subdivided and will be operated in 1944 as two or more farms, the 1944 tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion as the acreage of cropland suitable for the production of tobacco on each such tract in such year bore to the total number of acres of cropland suitable for the production of tobacco on the entire farm in such year unless otherwise recommended by the county committee and approved by the State committee.

(b) If two or more farms operated separately in 1943, or any previous year, have subsequently been combined and will be operated in 1944 as a single farm, the 1944 allotment shall be the sum of the 1944 allotments determined or which otherwise would have been determined for each of the farms composing the combination.

§ 724.620 *Determination of normal yields.* The normal yield for any farm shall be that yield which the county committee determines is normal for the farm taking into consideration (1) the yields obtained on the farm during the years 1938-42; (2) the soil and other physical factors affecting the production of tobacco on the farm and (3) the yields obtained on other farms in the locality which are similar with respect to such factors. The weighted average of the

normal fields for all farms in each county shall not exceed the normal yield established for the county in 1943, unless an adjustment for abnormal conditions is made by the War Food Administrator upon recommendations of the State committee.

#### ACREAGE ALLOTMENTS AND YIELDS FOR NEW FARMS

§ 724.621 *Determination of acreage allotments for new farms.* (a) The acreage allotment, other than an allotment made under § 724.618 (b), for a new farm shall be that acreage which the county committee determines is fair and reasonable for the farm taking into consideration the land, labor and equipment available for the production of tobacco, crop rotation practices, the soil and other physical factors affecting the production of tobacco; *Provided*, That the acreage allotment so determined shall not exceed the smaller of (1) seventy-five percent of the allotments established pursuant to § 724.615 for old farms which are similar with respect to land, labor and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco, or (2) fifty percent of the cropland in the farm.

(b) Notwithstanding any other provisions of this section a tobacco acreage allotment shall not be established for any new farm unless either the operator or the person growing the tobacco (1) shall have had experience in growing Burley or any other kind of tobacco during the past five years and (2) shall be living on the farm and largely dependent on this farm for his livelihood.

(c) The acreage allotments established as provided in this section shall be subject to (1) the approval of the State committee, and (2) such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new farms. The acreage available for establishing allotments for new farms shall be two percent of the national acreage allotment for 1944.

§ 724.622 *Time for filing application.* In order to obtain an allotment for a new tobacco farm in 1944, the operator of the farm shall file an application for such allotment with the county committee prior to February 1, 1944.

§ 724.623 *Determination of normal yields.* The normal yield for a new farm shall be that yield per acre which the county committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

Done at Washington, D. C., this 7th day of December, 1943.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 43-19606; Filed, December 8, 1943; 11:26 a. m.]

#### [Tobacco 813 (Flue-Cured), Part I]

#### PART 727—FLUE-CURED TOBACCO

Subpart—1944-45

#### MARKETING QUOTA REGULATIONS

##### GENERAL

- Sec.  
727.611 Definitions.  
727.612 Extent of calculations and rule of fractions.  
727.613 Instructions and forms.  
727.614 Applicability of regulations.

#### ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

- 727.615 Determination of acreage allotments for old farms.  
727.616 Reduction of acreage allotment for violation of marketing quota regulations for a prior marketing year.  
727.617 Adjustments by county committees.  
727.618 Reallocation of retired farm allotments.  
727.619 Farms subdivided or combined.  
727.620 Determination of normal yields.

#### ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

- 727.621 Determination of acreage allotments for new farms.  
727.622 Time for filing application.  
727.623 Determination of normal yields.

AUTHORITY: §§ 727.611 to 727.623, inclusive, issued under 52 Stat. 38, 47; 54 Stat. 392; 53 Stat. 1261; 56 Stat. 51; 7 U.S.C. 1301 (b) 1313; 52 Stat. 66; 7 U.S.C. 1375; Pub. Law 118, 78th Cong.; E.O. 9280, Dec. 5, 1942; E.O. 9322, Mar. 26, 1943, as amended, by E.O. 9334, Apr. 19, 1943; 54 Stat. 676; 55 Stat. 236; 56 Stat. 176.

##### GENERAL

§ 727.611 *Definitions.* (a) "County committee" means the group of persons elected within any county to assist in the administration of the Agricultural Conservation Programs in such county.

(b) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Agricultural Adjustment Agency, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(c) "New farm" means a farm on which tobacco was not produced in any of the five years 1939 to 1943 but on which tobacco will be produced in 1944.

(d) "Old farm" means a farm on which tobacco was produced in one or more of the five years 1939 to 1943.

(e) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(f) "Person" means an individual, partnership, association, corporation, estate or trust or other business enterprise or other legal entity and wherever applicable, a State, a political subdivision of a State or any agency thereof.

(g) "State committee" means the group of persons designated within any State to assist in the administration of the Agricultural Conservation Program in such State.

(h) "Tobacco" means flue-cured tobacco as classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture, as types 11, 12, 13 and 14.

§ 727.612 *Extent of calculations and rule of fractions.* All acreages shall be calculated to the nearest one-tenth acre. All percentages shall be calculated to the nearest whole percent except that in calculating the percent of excess acreage, all fractions shall be dropped if the percentage is more than one percent, and all fractions of less than a tenth shall be dropped if the percentage is less than one percent.

§ 727.613 *Instructions and forms.* The Chief of the Agricultural Adjustment Agency shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out these regulations.

§ 727.614 *Applicability of regulations.* These regulations shall govern the establishment of farm acreage allotments and normal yields for flue-cured tobacco in connection with farm marketing quotas for tobacco for the marketing year beginning July 1, 1944.

#### ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 727.615 *Determination of acreage allotments for old farms.* The tobacco acreage allotment for an old farm shall be the final 1943 marketing quota allotment for the farm times 120 percent, adjusted in accordance with §§ 727.616, 727.617 and 727.618, below. For the purposes of this section, the final 1943 marketing quota allotment shall include any acreage by which the 1943 allotment for the farm was reduced because of a violation of the marketing quota regulations for the 1942-43 marketing year, but shall not include any acreage allotted in 1943 from State pools unless the owner of the farm was dispossessed of another farm through acquisition thereof by a Federal agency for National defense purposes. No allotment shall be established under this section for any farm on which no tobacco was grown in any of the five years 1939 to 1943, inclusive.

§ 727.616 *Reduction of acreage allotment for violation of the marketing quota regulations for a prior marketing year.* If tobacco was sold or was per-

mitted to be sold in any marketing year on a marketing card for any farm which in fact was produced on a different farm, the acreage allotment established for both such farms for 1944 shall be reduced by the amount of tobacco so marketed: *Provided*, That such reduction shall not be made if the War Food Administrator, through the county committee, determines that no person connected with such farm caused, aided, or acquiesced in such marketing. If proof of the disposition of any amount of tobacco produced on a farm is not furnished as required by the War Food Administrator, the acreage allotment shall be reduced by such amount of tobacco. This section shall not apply if the allotment for any prior year was reduced on account of the same violation.

The amount of tobacco involved will be converted to an acreage basis by dividing such amount of tobacco by the actual yield for the farm during the year in which such tobacco was produced, or if the actual yield cannot be determined, by the estimated yield for the farm for such year.

§ 727.617 *Adjustments by county committees.* An acreage not in excess of two percent of the 1940 acreage allotment for each State will be available for allotment by the respective county committees. An old farm shall be eligible for adjustment as provided hereunder (a) if the committee finds that the 1943 allotment for the farm is relatively smaller in relation to the land, labor and equipment available for the production of tobacco on the farm than the average of the allotments in relation to such factors on other old farms in the county, or (b) if tobacco was harvested on the farm in 1943 and no acreage allotment was established for the farm. In making the adjustment in the farm acreage allotment, the county committee shall consider the past acreage of tobacco (harvested and diverted), the land, labor and equipment available for the production of tobacco, and crop rotation practices. Without prior approval of the State committee, the acreage allotted under this section shall not exceed one percent of the county acreage allotment for 1940.

All adjustments as provided above shall be subject to the approval of the State committee.

§ 727.618 *Reallocation of allotments released from farms removed from agricultural production.* (a) Except as provided in paragraph (b) of this section, the tobacco allotment determined or which would have been determined for any land which is removed from agricultural production because of acquisition by a State or Federal agency for any purpose or by a person for use in connection with the national defense program shall be available to the State committee for use in providing equitable allotments for farms on which tobacco was grown in one or more of the past five years, and which are operated in 1944 by persons who were producers of tobacco on land so removed from agricultural production. Insofar as possible the allotments for farms operated by

such persons shall be comparable to the allotments for other old farms in the same community which are similar with respect to land, labor and equipment available for the production of tobacco, crop rotation practices, soil and other physical factors affecting the production of tobacco, taking into consideration the allotment for the land removed from agricultural production. The allotment so determined shall be subject to the approval of the State committee and shall not exceed the larger of (1) the 1944 allotment previously determined for such land, or (2) the allotment which was or would have been determined for the land removed from agricultural production: *Provided*, That in no event shall the allotment so determined exceed the larger of 50 percent of the acreage of cropland in the farm, or three acres.

(b) The allotment determined or which would have been determined for any land acquired on or since January 1, 1940, by any Federal agency for national defense purposes shall be placed in a State pool and shall be used in determining equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farm by a Federal agency for national defense purposes. Upon application to the county committee, any owner so displaced shall be entitled to have an allotment for any one of the other farms owned or purchased by him equal to an allotment which would have been determined for such other farm plus the allotment which would have been determined for the farm acquired by the federal agency: *Provided*, That such allotment shall not exceed 50 percent of the acreage of cropland in the farm. The provisions of this subsection shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of tobacco from the farm or by the owner of the farm at the time of its acquisition by the Federal agency; (2) any tobacco produced on such farm has not been accounted for as required by the War Food Administration; or (3) if the allotment next to be established for the farm acquired by the Federal agency would have been reduced because of false or improper identification of tobacco produced on or marketed from such farm.

§ 727.619 *Farm subdivided or combined.* (a) If land operated as a single farm in 1943 or any previous year has subsequently been subdivided and will be operated in 1944 as two or more farms, the 1944 tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion as the acreage of cropland suitable for the production of tobacco on each such tract in such year bore to the total number of acres of cropland suitable for the production of tobacco on the entire farm in such year unless otherwise recommended by the county committee and approved by the State committee.

(b) If two or more farms operated separately in 1943, or any previous year, have subsequently been combined and will be operated in 1944 as a single farm,

the 1944 allotment shall be the sum of the 1944 allotment determined or which otherwise would have been determined for each of the farms composing the combination.

§ 727.620 *Determination of normal yields.* The normal yield for any farm shall be that yield which the county committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the years 1938-42; (b) the soil and other physical factors affecting the production of tobacco on the farm and (c) the yields obtained on other farms in the locality which are similar with respect to such factors. The weighted average of the normal yields for all farms in each county shall not exceed the normal yield established for the county in 1943, unless an adjustment for abnormal conditions is made by the War Food Administrator upon recommendations of the State committee.

#### ACREAGE ALLOTMENTS AND YIELDS FOR NEW FARMS

§ 727.621 *Determination of acreage allotments for new farms.* (a) The acreage allotment, other than an allotment made under § 727.618 (b), for a new farm shall be that acreage which the county committee determines is fair and reasonable for the farm taking into consideration the land, labor and equipment available for the production of tobacco, crop rotation practices, the soil and other physical factors affecting the production of tobacco: *Provided*, That the acreage allotment so determined shall not exceed the smaller of (1) seventy-five percent of the allotments established pursuant to § 727.615 for old farms which are similar with respect to land, labor, and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco, or (2) fifty percent of the cropland in the farm.

(b) Notwithstanding any other provisions of this section a tobacco acreage allotment shall not be established for any new farm unless either the operator or the person growing the tobacco (1) shall have had experience in growing flue-cured or any other kind of tobacco during the past five years, and (2) shall be living on the farm and largely dependent on this farm for his livelihood.

(c) The acreage allotments established as provided in this section shall be subject to (1) the approval of the State committee, and (2) such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new farms. The acreage available for establishing allotments for new farms shall be two percent of the national acreage allotment for 1944.

§ 727.622 *Time for filing application.* In order to obtain an allotment for a new tobacco farm in 1944, the operator of the farm shall file an application for such allotment with the county committee prior to February 1, 1944.



§ 727.623 *Determination of normal yields.* The normal yield for a new farm shall be that yield per acre which the county committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

Done at Washington, D. C., this 7th day of December 1943.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 43-19607; Filed, December 8, 1943;  
11:28 a. m.]

## Chapter VIII—War Food Administration (Sugar Determinations)

### PART 802—SUGAR DETERMINATIONS

#### MAINLAND CANE SUGAR AREA

Determination of normal yield of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for farms in the mainland cane sugar area (revised).

Pursuant to the provisions of section 303 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.25 *Normal yield of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for farms in the mainland cane sugar area—(a) Normal yield calculation.* The normal yield of commercially recoverable sugar per acre for any farm in the mainland cane sugar area in which sugarcane is grown and marketed (or processed by the producer) for the extraction of sugar shall be:

(1) The average number of hundred-weights of commercially recoverable sugar per acre of sugarcane harvested on the farm and marketed (or processed by the producer) for the extraction of sugar during the crop years 1937-38, 1938-39 and 1939-40 (as shown on applications for payment under the mainland sugarcane programs), if sugarcane for sugar was harvested on the farm in all of such crop years, or

(2) The average number of hundred-weights of commercially recoverable sugar per acre of sugarcane harvested on farms in the community in which the farm is located and marketed (or proc-

essed) for the extraction of sugar during the crop years 1937-38, 1938-39, and 1939-40, if sugarcane for sugar was not harvested on the farm in all of such crop years.

(b) *Eligibility for abandonment and deficiency payments.* Any farm located in a parish, county, or local producing area, as defined herein, in which actual yields of commercially recoverable sugar from the sugarcane for farms comprising 10 percent or more of the sugarcane acreage of all farms in such parish, county, or local producing area, were 80 percent or less of the normal yields therefor, because of drought, flood, storm, freeze, disease or insects, shall be eligible for abandonment and deficiency payments.

A "local producing area" shall be all contiguous farms which are found by the Parish or County Agricultural Conservation Committee of the Agricultural Adjustment Agency in which the farm is located to be similar with respect to types of soil or with respect to topography: *Provided, however,* That farms separated from other farms by any natural barrier such as mountains or large areas of land shall not be included within the same local producing area.

This determination supersedes the "Determination of (1) Normal Yield of Commercially Recoverable Sugar per Acre and (2) Eligibility for Payment with Respect to Abandonment and Crop Deficiency for Farms in the Mainland Cane Sugar Area, Pursuant to Section 303 of the Sugar Act of 1937, as Amended," issued October 22, 1940.

(Sec. 303, 50 Stat. 911; 7 U.S.C., 1940 ed. 1133; 8 F.R. 3807; 8 F.R. 5423)

Done at Washington, D. C., this 7th day of December, 1943.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 43-19609; Filed, December 8, 1943;  
11:22 a. m.]

### PART 802—SUGAR DETERMINATIONS

#### SUGARCANE FARMS IN PUERTO RICO

Determination of (1) normal yield of commercially recoverable sugar per acre and (2) eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in Puerto Rico (revised).

Pursuant to the provisions of section 303 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Execu-

tive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.45 *Normal yield of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in Puerto Rico—(a) Normal yield calculation.* (1) The normal yield of commercially recoverable sugar per acre for any farm in Puerto Rico on which sugarcane is grown and marketed (or processed by the producer) for the extraction of sugar during all three of the 1938-39, 1939-40 and 1940-41 crop years shall be the product of:

(i) The average number of hundred-weights of sugar, raw value, recovered per short ton of sugarcane processed during such crop years for the extraction of sugar by the mill, or mills, where such sugarcane was ground, and

(ii) The average number of short tons of sugarcane per acre harvested on the farm for the extraction of sugar during the said three crop years.

(2) The normal yield of commercially recoverable sugar per acre for any farm on which sugarcane was not grown and marketed (or processed by the producer) for the extraction of sugar during all three of the 1938-39, 1939-40, and 1940-41 crop years, shall be the average of such yields for all farms, within the same local producing area, as defined herein, on which sugarcane was harvested for the extraction of sugar during all three of the 1938-39, 1939-40, and 1940-41 crop years.

(b) *Eligibility for abandonment and deficiency payments.* Any farm located in a local producing area, as defined herein, in which actual yields of commercially recoverable sugar from the sugarcane for farms comprising 10 percent or more of the sugarcane acreage of all farms in such local producing area, were 80 percent or less of the normal yields therefor, as determined by the Officer or Acting Officer in Charge of the San Juan office of the Agricultural Adjustment Agency, because of drought, flood, storm, freeze, disease or insects, shall be eligible for abandonment and deficiency payments.

A "local producing area" shall be all contiguous farms which are found by the Officer or Acting Officer in Charge of the San Juan office of the Agricultural Adjustment Agency to be similar with respect to types of soil or with respect to topography: *Provided, however,* That farms separated from other farms by any natural barrier such as mountains or large areas of land shall not be in-

cluded within the same local producing area.

This determination supersedes the "Determination of (1) Normal Yield of Commercially Recoverable Sugar per Acre and (2) Eligibility for Payment with Respect to Abandonment and Crop Deficiency for 1937," issued May 25, 1943.

(Sec. 303, 50 Stat. 911; 7 U.S.C., 1940 ed. 1133; 8 F.R. 3807; 8 F.R. 5423)

Done at Washington, D. C., this 7th day of December 1943.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 43-19610; Filed, December 8, 1943;  
11:22 a. m.]

## PART 802—SUGAR DETERMINATIONS

### SUGARCANE FARMS IN VIRGIN ISLANDS

Determination of (1) normal yields of commercially recoverable sugar per acre and (2) eligibility for payment with respect to abandonment and crop deficiency for farms in the Virgin Islands (revised).

Pursuant to the provisions of section 303 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.52 *Normal yield of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for farms in the Virgin Islands.*—(a) *Normal yield calculation.* The normal yield of commercially recoverable sugar per acre for any farm in the Virgin Islands in which sugarcane is grown and marketed (or processed by the producer) for the extraction of sugar shall be:

(1) For any farm on which sugarcane was grown and marketed (or processed by the producer) for the extraction of sugar during all three of the crop years 1935, 1936, and 1939, the product of:

(i) The average number of hundred-weights of sugar, raw value, recovered per short ton of sugarcane processed for the extraction of sugar during such crop years by the mill, or mills, where such sugarcane was ground, and

(ii) The average number of short tons of sugarcane per acre harvested on the farm for the extraction of sugar during the said three crop years; or

(2) For any farm on which sugarcane was not grown and marketed (or processed by the producer) for the extraction of sugar during all three of the crop years 1935, 1936 and 1939, the average of the normal yields per acre, computed as in (1) above, for all farms within the

same local producing area, as defined herein, on which sugarcane was harvested for the extraction of sugar during all three such crop years..

(b) *Eligibility for abandonment and deficiency payments.* Any farm located in a local producing area, as defined herein, in which actual yields of commercially recoverable sugar from the sugarcane for farms comprising 10 percent or more of the sugarcane acreage of all farms in such local producing area, were 80 percent or less of the normal yields therefor, as determined by the Officer or Acting Officer in Charge of the San Juan office of the Agricultural Adjustment Agency, because of drought, flood, storm, freeze, disease or insects, shall be eligible for abandonment and deficiency payments.

A "local producing area" shall be all contiguous farms in the Virgin Islands which are found by the Officer or Acting Officer in Charge of the San Juan office of the Agricultural Adjustment Agency to be similar with respect to types of soil or with respect to topography: *Provided, however,* That farms separated from other farms by any natural barrier such as mountains or large areas of land shall not be included within the same local producing area.

This determination supersedes the "Determination of Sugar Commercially Recoverable from Sugarcane in the Virgin Islands, Pursuant to the Sugar Act of 1937, as Amended," issued November 7, 1942.

(Sec. 303, 50 Stat. 911; 7 U.S.C., 1940 ed. 1133; 8 F.R. 3807; 8 F.R. 5423)

Done at Washington, D. C., this 7th day of December 1943.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 43-19611; Filed, December 8, 1943;  
11:22 a. m.]

## Chapter XI—War Food Administration (Distribution Orders)

[FDO 75, Amdt. 6]

### PART 1410—LIVESTOCK AND MEATS

#### SLAUGHTER OF LIVESTOCK AND DELIVERY OF MEAT

Food Distribution Order No. 75, as amended (8 F.R. 11119, 14508, 15684, 15772), § 1410.15, issued under authority of the War Food Administrator on August 9, 1943, is further amended by adding immediately after the words: "Remainder of the State" and the figure "13.40" under the heading "Oregon" in (1) (1) (iv) thereof, the following:

*Kentucky: Until 12:01 a. m., e. v. t., January 1, 1944*

Louisville	13.60
Counties of Hancock, Ohio, Butler, Warren, Simpson, Logan, Todd, Muhlenberg, McLean, Davless, Henderson Union, Webster, Hopkins, Christian, Trigg, Lyon, Caldwell, Crittenden, Livingston, Marshall, Calloway, Graves, McCracken, Ballard, Carlisle, Hickman, Fulton	13.20
Remainder of the State	13.40

*Tennessee: Until 12:01 a. m., e. v. t., January 1, 1944*

Nashville	13.50
Memphis	13.35
Union City	13.20
Castanoga	13.50
Knoxville	13.50
Counties of Johnson, Carter, Sullivan, Washington, Union, Hawkins, Greene, Hancock, Grainger, Hamblen, Jefferson, Sevier, Claiborne, Unicoi, Knox, Blount, Anderson, Campbell, Cooke	13.35

*Ohio: Until 12:01 a. m., e. v. t., January 1, 1944*

Cincinnati	13.80
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This amendment shall become effective at 12:01 a. m., e. v. t., December 6, 1943.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 75, as amended, prior to the effective date of this amendment, all provisions of said Food Distribution Order No. 75, as amended, in effect prior to this amendment, shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3897; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 6th day of December 1943.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 43-19605; Filed, December 8, 1943;  
11:22 a. m.]

## Chapter XII—War Food Administration (Commodity Credit Orders)

[Order 4, Amdt. 2]

### PART 1600—OILSEEDS

#### PURCHASE, SALE AND USE OF PEANUTS, 1943 CROP

Commodity Credit Corporation Order 4, issued by the War Food Administrator on June 10, 1943, as amended (8 F.R. 7837, 11499), is hereby amended to read as follows:

§ 1600.4 *Purchase, sale and use of peanuts restricted*—(a) *Definitions*. (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, including the States of the United States, their political subdivisions and agencies.

(2) "Corporation" means the Commodity Credit Corporation.

(3) "Farmers' stock peanuts" means picked or threshed peanuts in the shell which have been produced in the calendar year 1943 in the continental United States and which have not been cleaned, shelled, crushed, or otherwise changed from their natural state after picking or threshing.

(4) "Producer" means a person who grows, harvests, or threshes peanuts in the continental United States for purposes of sale.

(5) "Handler" means a person, other than a designated agency, who has entered into a contract with the Corporation to purchase, sell, or deliver peanuts for the account of the Corporation.

(6) "Designated Agency" means a co-operative association of producers which has entered into a contract with the Corporation to purchase, sell, or deliver peanuts for the account of the Corporation.

(7) "Crush" means to press, expel, or extract oil from peanuts.

(8) "Clean and shell" means to remove the dirt, stems, or other foreign material from the shells of farmers' stock peanuts, or to remove the shells therefrom, other than in connection with the crushing of such peanuts. "Cleaning and shelling" shall be construed accordingly.

(9) "Purchase" includes contracts to purchase.

(10) "Sell" and "sale" include contracts to sell.

(11) "Deliver" and "delivery" include contracts to deliver.

(b) *Restrictions on purchases, sales, and deliveries of farmers' stock peanuts*. No person shall sell or deliver farmers' stock peanuts, and no person shall purchase or accept delivery of farmers' stock peanuts, except as provided in paragraph (c) hereof or as specifically authorized by the President of the Corporation in order to assure a proper distribution and use of peanuts for defense, for private account, and for export.

(c) *Permissible purchases, sales, and deliveries of farmers' stock peanuts*. The following purchases, sales and deliveries of farmers' stock peanuts are not restricted:

(1) Purchases or acceptances of deliveries by, and sales or deliveries to (i) the Corporation, (ii) a handler or designated agency purchasing for the account of the Corporation pursuant to the terms of a handler's or designated agency's contract

with the Corporation, or (iii) a producer for planting by or for him.

(2) Sales or deliveries by, and purchases or acceptances of deliveries from, the Corporation, or a handler or designated agency selling for the account of the Corporation pursuant to the terms of a handler's or designated agency's contract with the Corporation.

(d) *Limitation on aggregate sales and deliveries of farmers' stock peanuts for cleaning and shelling*. Notwithstanding any other provision of this order, the aggregate quantity of farmers' stock peanuts sold or delivered for cleaning and shelling by or under authorization of the Corporation, shall not, unless otherwise specifically authorized by the War Food Administrator, exceed 700,000 tons plus the tonnage of farmers' stock peanuts equivalent, as determined by the Corporation, to the tonnage of No. 2 shelled peanuts which may be authorized by the Corporation to be crushed for oil, and farmers' stock peanuts sold for shelling, which, prior to shelling, are damaged or destroyed by fire, water, tornado, or other similar act of God and for that reason can not be shelled: *Provided*, That proof of such damage or destruction, satisfactory to the Corporation, is submitted to the Corporation by the person buying such peanuts for shelling.

(e) *Restrictions on crushing, cleaning, and shelling of farmers' stock peanuts*. No person shall crush, clean or shell farmers' stock peanuts, except in such quantities as may be specifically authorized by the President of the Corporation in order to assure a proper distribution and use of peanuts for defense, for private account, and for export: *Provided*, That any producer may clean or shell farmers' stock peanuts produced by him in a quantity not in excess of two tons.

(f) *Audits and inspections*. The President of the Corporation shall be entitled to make such audit or inspection of the books, records, and other writings, premises or stocks of peanuts of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(g) *Records and reports*. The President of the Corporation shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Petition for relief from hardship*. Any person affected by this order who considers that compliance herewith would work an exceptional and unrea-

sonable hardship on him may apply in writing for relief to the President of the Corporation, setting forth in such petition all pertinent facts and the nature of the relief sought. The President of the Corporation may thereupon take such action as he deems appropriate, which action shall be final.

(i) *Violations*. The War Food Administrator may by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using peanuts, or any other material subject to the priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who willfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority*. The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the President of the Corporation. The President of the Corporation is authorized to redelegate to any person within the War Food Administration any or all of the authority vested in him by this order.

(k) *Communications*. All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the President of the Corporation, be addressed to the War Food Administrator, United States Department of Agriculture, Washington 25, D. C., Ref. CCC 4.

(l) *Territorial scope*. The provisions of this order shall apply within the forty-eight states and the District of Columbia.

(m) *Effective date*. This amendment shall become effective at 12:01 a. m., e. w. t. December 8, 1943. With respect to violations of said Commodity Credit Corporation Order 4, as amended, rights accrued, or liabilities incurred, prior to the effective time of this amendment, said Commodity Credit Corporation Order 4, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 7th day of December, 1943.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 43-19608; Filed, December 8, 1943;  
11:26 a. m.]



**TITLE 32—NATIONAL DEFENSE,  
Chapter IX—War Production Board**

**Subchapter B—Executive Vice-Chairman**

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

**PART 1010—SUSPENSION ORDERS**

[Suspension Order S-441]

**JOHN P. TORVIK**

John P. Torvik is a general building contractor in Richmond, California. About December 15, 1942, he entered into an oral agreement to construct a trailer camp at 12th and California Streets near Richmond, California. His own estimated cost of construction was approximately \$7,800, which amount exceeded that permitted by Conservation Order L-41. Work commenced about December 22, 1942, without authority of the War Production Board. At the time this construction was commenced, John P. Torvik was advised of the restrictions of Conservation Order L-41, and these acts constituted a wilful violation of the order.

This violation of Conservation Order L-41 has diverted scarce materials to uses not authorized by the War Production Board, and has hampered and impeded the war effort of the United States. In view of the foregoing facts, *It is hereby ordered, That:*

**§ 1010.441 Suspension Order S-441.**

(a) Deliveries of material to John P. Torvik, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment of materials or products, the supply or distribution of which is governed by any order of the War Production Board, shall be made to John P. Torvik, his successors or assigns, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve John P. Torvik, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

No. 244—2

(d) This order shall take effect on December 7, 1943, and shall expire on March 7, 1944.

Issued this 30th day of November 1943.

**WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.**

[F. R. Dec. 43-19566; Filed, December 7, 1943;  
3:06 p. m.]

**PART 1010—SUSPENSION ORDERS**

[Suspension Order S-461]

**THOMAS DE MECO**

Thomas De Meco of 310 West Avenue, Rochester, New York, is a building contractor. On or about April 1, 1943, he began residential construction on property located at 1060 South Avenue, Rochester, New York, for the purpose of remodeling it into a three-family dwelling. The estimated cost of the construction begun by Thomas De Meco exceeded the \$200. limit permitted by Conservation Order L-41, being about \$3,000. Thomas De Meco was an experienced contractor and on or about April 1, 1943, was working on the construction of another house, authority for which he had obtained from the War Production Board, and he had been advised of the limits of Conservation Order L-41 by the local office of the War Production Board. The commencement of this construction must be considered a wilful violation of Conservation Order L-41, and it has hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered, That:*

**§ 1010.461 Suspension Order S-461.**

(a) Neither Thomas De Meco, his successors or assigns, nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any manner secure or use material of construction plant in order to continue or complete construction of the premises at 1060 South Avenue, Rochester, New York, unless hereafter specifically authorized in writing by the War Production Board.

(b) For a period of three months from the effective date of this order, deliveries of material on orders or contracts placed directly or indirectly by Thomas De Meco, his successors or assigns shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied, or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) For a period of three months from the effective date of this order, no allocation or allotment shall be made to Thomas De Meco, his successors or assigns, of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically

authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Thomas De Meco, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on the 7th day of December 1943.

Issued this 30th day of November 1943.

**WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.**

[F. R. Dec. 43-19565; Filed, December 7, 1943;  
3:06 p. m.]

**PART 944—REGULATIONS APPLICABLE TO  
THE OPERATION OF THE PRIORITIES SYSTEM**

[Priorities Reg. 3, Direction 5]

**RATINGS FOR LISTED CHEMICALS AND OTHER MATERIALS**

The following direction is issued pursuant to Priorities Regulation 3:

(a) *Purpose.* Owing to the fact that the supply of certain materials is controlled by peculiar factors including their interchangeability and their use both as production materials and for MRO (maintenance, repair and operating supplies), it is necessary to provide special rules for the use of ratings in getting these materials.

(b) *Restriction on use of certain blanket MRO ratings.* Blanket MRO ratings of AA-1 and AA-2 may not be used to get any of the materials on the attached list. "Blanket MRO ratings" are defined in paragraph (c) (2) of Priorities Regulation No. 3. This direction does not affect the use of Blanket MRO ratings of AA-5, nor does it affect ratings for production materials to be physically incorporated in a product or a construction project.

(c) *What ratings may be used instead.* The following ratings may be used for the materials listed in this direction:

(1) If you have a blanket MRO rating of AA-1 you may use AA-2X to get these materials for MRO.

(2) If you have a blanket MRO rating of AA-2 you may use AA-3 to get these materials for MRO.

(3) If you have a rating for production materials to be physically incorporated in a product or a construction project, you may use that rating to get the materials on the attached list as MRO for use in the production of that product or in that construction project. However, the amount of these materials which are bought as MRO must be deducted from your MRO quota under CMP Regulation No. 5 or any other regulation or order which places limits on your purchases of MRO.

(4) You may use any rating assigned by a preference rating certificate which specifically names the kinds and quantities of material rated.

(d) *Effect on outstanding purchase orders.* Orders calling for delivery before January 1, 1944, which have already been rated in accordance with applicable WPB regulations or orders need not be re-rated, but outstanding orders for later delivery must be re-

rated if they have been rated higher than is allowed by this direction.

(e) *Persons engaged in several activities.* If a person is engaged in several business activities to which different ratings are assigned and it is impracticable to apportion his needs for any material on the list between them, he must use the rating assigned to the activity in which he is principally engaged.

(f) *Applications for special assistance.* Any person who needs any material listed in this direction either as production material or for MRO, and is unable to get it with the rating which he has, may apply on Form WPB-541 (formerly PD-1A) to the nearest local office of the War Production Board for a higher rating.

Issued this 8th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LIST OF CHEMICALS AND OTHER MATERIALS

1. Coated fabric
2. Organic intermediates for the following:
  - rubber
  - explosives
  - dyes
  - medicinal chemicals
  - photographic chemicals
  - plastics and synthetic resins
  - refining
  - oil additives

3. Paints, varnishes and lacquers
4. Pigments, colors and extenders
5. Printing inks

6. Chemicals as listed below:

Acetonyl acetone  
Acetylene  
Acetylene dichloride  
Acetylene tetrachloride  
Acids:  
boric  
butyric (all)  
chlorosulfonic  
hydrochloric  
hydrofluoric  
hydrofluosilicic  
lactic  
monochloroacetic  
phosphoric  
propionic  
tartaric  
trichloroacetic  
Alpha proteins  
Aluminum acetate  
Aluminum ammonium sulfate  
Aluminum chloride (not anhydrous)  
Aluminum formate  
Aluminum hydroxide (light)  
Aluminum nitrate  
Aluminum potassium sulfate  
Aluminum sulfate  
Ammonium aluminum sulfate  
Ammonium bicarbonate  
Ammonium bifluoride  
Ammonium fluoride  
Ammonium molybdate  
Ammonium persulfate  
Ammonium phosphates  
Ammonium silicofluoride  
Ammonium thiocyanate  
Amyl alcohols (all)  
Amyl esters (all)  
Antimony chloride  
Antimony trichloride  
Arsenic disulfide  
Barium carbonate  
Barium chloride  
Barium peroxide  
Barium silicofluoride  
Benzoyl peroxide  
Bordeaux mixture  
Butyl aldehydes (all)  
Butyric acids (all)  
Calcium acetate  
Calcium arsenate

6. Chemicals as listed below—Continued.

Calcium arsenite  
Calcium carbonate, precipitated  
Calcium chloride  
Calcium cyanide  
Calcium peroxide  
Calcium phosphates  
Camphor, synthetic  
Carbon bisulfide  
Carbon dioxide  
Carbon tetrachloride  
Caustic potash  
Caustic soda  
Cerium salts  
Chloral hydrate  
Chloramine B & T  
Chlorinated paraffin  
Chloroform  
Copper acetarsenite  
Cumaren—indene resins  
Degreasing compounds  
Detergents and wetting agents,  
synthetic organic  
Dichloramine B & T  
Dichlorethyl formal  
Ethers (all)  
Ester gum  
Ethyl chloride  
Ethyl silicate  
Ferric nitrate  
Ferric sulfate  
Ferrous chloride  
Glue and gelatin  
Hexachlorobenzene  
Hexachlorethane  
Hydrogen cyanide  
Hydrogen gas  
Hydrogen peroxide  
Hydrogen sulfide  
Hydroquinone  
Isobutyl—undecylenamide  
Isopropyl butyrate  
Isopropyl propionate  
Ketones (except methyl ethyl and methyl  
isobutyl ketone)  
Lanthanum oxide  
Lead acetate  
Lead arsenate  
Lead dioxide  
Lead nitrate  
Lead peroxide  
Lead silicate  
Lead thiocyanate (sulfocyanide)  
Lime and limestone  
Lime sulfur  
Limed rosin  
Magnesium carbonate  
Magnesium chloride  
Magnesium peroxide  
Magnesium silicofluoride  
Magnesium sulfate  
Manganese acetate  
Manganese chloride  
Manganese precipitated dioxide  
Manganese sulfate  
Mercuric chloride  
Mercuric cyanide  
Mercuric ethyl chloride  
Mercuric nitrate  
Mercuric oxide  
Mercuric sulfate  
Mercuric sulfide  
Mercurous chloride  
Mercurous chloride acetate  
Metallic driers  
Metallic naphthanates  
Metallic stearates (except alkali stear-  
ates)  
Methyl bromide  
Methyl cellulose  
Methyl chloride  
Methylene chloride  
Nicotine sulfate  
Nitrocellulose  
Nitrous oxide  
Oxygen  
Paris green  
Perchloroethylene  
Phosphorus oxychloride

6. Chemicals as listed below—Continued.

Phosphorus pentasulfide  
Potassium:  
acetate  
aluminum sulfate  
antimonate  
carbonate  
ferricyanide  
ferrocyanide  
hydroxide  
permanganate  
persulfate  
thiocyanate  
Rare earth salts  
Red squill  
Resins, natural  
Scandium salts  
Seed disinfectants  
Silica gel  
Silver cyanide  
Silver nitrate  
Silver oxide  
Soda, modified  
Soda ash  
Sodium:  
acetate  
aluminate  
aluminum sulfate  
sodium antimonate  
arsenate  
arsenite  
acid pyrophosphate  
bicarbonate  
bifluoride  
bisulfate  
bisulfite  
ferricyanide  
ferrocyanide  
fluoride  
fluosilicate  
hydrosulfite  
orthosilicate  
pentachlorophenato  
perborate  
peroxide  
sesquicarbonate (trona)  
sesquisilicate  
silicate  
silicofluoride  
stannate  
thiocyanate  
Soldering compounds  
Soluble dried blood  
Soya bean adhesives  
Stannic chloride (tin tetrachloride)  
Stannic oxide  
Stannic sulfate  
Stannous chloride  
Starch adhesives  
Sulfur chloride  
Superphosphate, regular and concen-  
trated  
Terpene resins  
Titanium tetrachloride  
Thallium sulfate  
Thorium salts  
Trichlorethylene  
Triethanolamine  
Urea peroxide  
Waxes, vegetable  
bees  
carnauba  
candelilla  
ouricury  
Wetting agents, synthetic organic  
Yttrium salts  
Zeolites  
Zinc acetate  
Zinc ammonium chloride  
Zinc chloride  
Zinc cyanide  
Zinc hydrosulfite  
Zinc peroxide  
Zinc resinates  
Zinc phosphide  
Zinc sulfate  
Zirconium salts

[F. R. Doc. 43-19582; Filed, December 8, 1943;  
10:49 a. m.]

## PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L-157, Schedule V as Amended Dec. 8, 1943]

## HAND FORKS, HAND HOOKS, HAND RAKES, HAND HOES, HAND EYE HOES AND HAND CULTIVATORS\*

§ 1293.6 *Schedule V to Limitation Order L-157—(a) Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who manufactures, stamps, forges or otherwise fabricates hand forks, hand hooks, hand rakes, hand hoes, hand eye hoes, or hand cultivators.

(2) "Hand cultivator" means a tined hoe or rake designed for manual operation. Hand cultivator shall not include a hand wheel cultivator.

(3) "Lend-lease Government" means the government of any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act.)

(b) *Simplified practices.* Pursuant to Order L-157, the kinds, grades, styles, sizes, weights, and finishes set forth in Appendix A and Tables 1 through 6 of this schedule are established for the manufacture, stamping, forging or fabricating of hand forks, hand hooks, hand rakes, hand hoes, hand eye hoes, and hand cultivators.

(c) *Effective date of simplified practices.* On and after the 8th day of April 1943, no producer shall put in process any steel for the purpose of manufacturing, stamping, forging or otherwise fabricating hand forks, hand hooks, hand rakes, hand hoes, hand eye hoes, or hand cultivators other than such forks, hooks, rakes, hoes, eye hoes or cultivators as conform to the kinds, grades, styles, sizes, weights and finishes as established by paragraph (b) and Appendix A, Table 1 through Table 6 of this schedule. On and after the 8th day of May 1943, no producer shall manufacture, stamp, forge, or fabricate a hand fork, hand hook, hand rake, hand hoe, hand eye hoe or hand cultivator not conforming to the kinds, grades, styles, sizes, weights and finishes established in paragraph (b), and Appendix A, Table 1 through Table 6 of this schedule, except with the express permission of the War Production Board. Notwithstanding the provisions of this paragraph a producer may put in process steel for the purpose of manufacturing, stamping, forging or otherwise fabricating hand eye hoes, or may manufacture, stamp, forge or fabricate a hand eye hoe, not subject to the limitations of kinds, patterns, widths, depths, handle lengths, weights or finishes as set forth in Table 5 of Appendix A to this Schedule, provided such hand eye hoes are for export under a license issued by the Board of Economic Warfare or to fill an order of a Lend-lease Government. Materials and finishes, however, shall conform to the requirements of this Order L-157.

(d) *Records.* Each producer of hand forks, hand hooks, hand rakes, hand

hoes, hand eye hoes, or hand cultivators shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require.

(e) During the period from January 1, 1944, to January 1, 1945, no producer shall produce more garden rakes than 60 percent by weight of the garden rakes which he produced in either the calendar year 1940 or the calendar year 1941, whichever was greater.

Issued this 8th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

## APPENDIX A—EXPLANATIONS AND LIMITATIONS

(1) *Grades.* A, B, and C designate qualities of complete tools; A designating the best quality. Limitations applying to quality are given separately at the foot of each table.

TABLE 1—FORES

Kind	Grades	Times				Spread of points (approx.)	Space between times	Handle length†	Weight per dozen (approx.)
		No.	Length	Shape	Finish				
LIGHT FORES									
Barley, with or without balls and traces.	A, B	4	1 <sup>1</sup> / <sub>8</sub>	Oval	Polished	1 <sup>1</sup> / <sub>2</sub>	4-5 <sup>1</sup> / <sub>2</sub> ft.		43
Hay, regular 3-tine.	A, B	3	12	do.	do.	7 <sup>1</sup> / <sub>2</sub>	34 in. DT.		43
	C	3	12	do.	Black	7 <sup>1</sup> / <sub>2</sub>	4-6 ft.		43
Header, round shouldered.	A, B	4	15	do.	Polished	13 <sup>1</sup> / <sub>2</sub>	4-5 <sup>1</sup> / <sub>2</sub> ft.		44
Manure, regular pattern:									
4-tine	A, B	4	12-12 <sup>1</sup> / <sub>2</sub>	do.	do.	9 <sup>1</sup> / <sub>2</sub>	4 & 4 <sup>1</sup> / <sub>2</sub> ft.		43
	O	4	12-12 <sup>1</sup> / <sub>2</sub>	do.	Black	9 <sup>1</sup> / <sub>2</sub>	32 in. DT.		42
5-tine	A, B	5	12-12 <sup>1</sup> / <sub>2</sub>	do.	Polished	9 <sup>1</sup> / <sub>2</sub>	4 & 4 <sup>1</sup> / <sub>2</sub> ft.		44
	O	5	12-12 <sup>1</sup> / <sub>2</sub>	do.	Black	9 <sup>1</sup> / <sub>2</sub>	32 in. DT.		41
Spading:									
Light pattern	A, B	4	11	(Angular back)	Polished face, tumbled back.		30 in. DT.		55
Heavy pattern	A, B	4	11	do.	do.		30 in. DT.		60
HEAVY FORES									
Beet, scoop shaped, with ball pointed times.	A	7	10 <sup>1</sup> / <sub>2</sub>	Round	Black	13 <sup>1</sup> / <sub>2</sub> -14 <sup>1</sup> / <sub>2</sub>	2-2 <sup>1</sup> / <sub>2</sub> 32 in. DT.		80
Coal, scoop shaped.	A	10	12-16	do.	do.	13 <sup>1</sup> / <sub>2</sub> -14	30 in. DT.		87
		12	16	do.	do.	15-16	30 in. DT.		93
		14	16-18	do.	do.	14	30 in. DT.		92
Coke fork.	A	10	17	Diamond	Black	14 <sup>1</sup> / <sub>2</sub> -15	30 in. DT.		85
Cotton seed, scoop shaped.	A	12	17	do.	do.	17 <sup>1</sup> / <sub>2</sub> -15	30 in. DT.		107
	10	16-17	do.	do.	do.	14	30 in. DT.		84
Ensilage, barn, or knif corn, regular pattern, outside times turned up	A	8	16	Oval	do.	12 <sup>1</sup> / <sub>2</sub> -13	30 in. DT.		72
	10	16	do.	do.	do.	15	30 in. DT.		73
Mill, manure, street, or pulp	A	4	15	do.	Half-polished	10 <sup>1</sup> / <sub>2</sub> to 11	30 in. DT.		55
		8	13 <sup>1</sup> / <sub>2</sub>	Square	Black	10 <sup>1</sup> / <sub>2</sub>	30 in. DT.		83
Stone, ballast, or gravel.	A	10	13 <sup>1</sup> / <sub>2</sub>	do.	do.	8 <sup>1</sup> / <sub>2</sub>	30 in. DT.		80
		12	13 <sup>1</sup> / <sub>2</sub>	do.	do.	9 <sup>1</sup> / <sub>2</sub> -10 <sup>1</sup> / <sub>2</sub>	30 in. DT.		86
		14	13 <sup>1</sup> / <sub>2</sub>	do.	do.	12-12 <sup>1</sup> / <sub>2</sub>	30 in. DT.		92
Vegetable, scoop shaped, with flattened points.	A	10	13 <sup>1</sup> / <sub>2</sub> -15	Oval	do.	14-14 <sup>1</sup> / <sub>2</sub>	30 in. DT.		85

\* Grade A forks shall have grade A handles; grade B forks, grade B handles; and grade C forks, grade C handles.  
† All handles shall be of the bent type, except those of hay forks, which may be either straight or bent type. Those identified by the initials DT shall be D-top handles. The longest handle length listed is the maximum for the fork to which it applies. Where a range is given it indicates the commercial practice of furnishing long handles in 6-inch increments, including the shortest and longest listed, e. g., 4-5<sup>1</sup>/<sub>2</sub> ft. means 4, 4<sup>1</sup>/<sub>2</sub>, 5, and 5<sup>1</sup>/<sub>2</sub>-foot handles. Handles are not required to conform to the listed sizes, but shall not exceed the maximum length listed.  
‡ The approximate weight per dozen is given for the highest grade listed. It is intended only to fix within reasonable limits the weight of the fork proper.  
§ With 4<sup>1</sup>/<sub>2</sub>-foot handles.  
|| Including balls and traces.  
¶ Grade B spading forks to have times half polished on face, tumbled back.

TABLE 5—EYE HOES

[To be made in natural finish except for lower 1/2 which shall be polished]

Kind*	Width of cut	Depth of blade	Max. length of handle	Approx. weight per dozen
ROUND EYE HOES	In. 6	In. 6 1/2	In.	Pounds
Plaster's:				
American pattern, unhandled.....	8	8 1/2	7	18
Scott field pattern, straight and curved blade, unhandled.....	8 1/2	8 1/2	7 1/2	21
	7 1/2	8 1/2	7 1/2	14 to 17
	8	8 1/2	7 1/2	16 to 19
	8 1/2	8 1/2	7 1/2	18 to 21
	8 1/2	8 1/2	7 1/2	20 to 23
	8 1/2	8 1/2	7 1/2	21 to 22
	8 1/2	8 1/2	7 1/2	21 to 31
	8 1/2	8 1/2	7 1/2	21 to 17
Grub, handled and unhandled.....	4 1/2	6	54	25
Giant planer's: Canoe pattern, unhandled.....	7 1/2	6	54	25
SQUARE EYE HOES				
Garden or field pattern, handled.....	7 1/2	6	54	35

\* Eye hoes are described handled or unhandled according to the condition in which they are generally sold by the producers. They may be distributed in either condition or both.  
\* Without handles.

TABLE 6—HAND CULTIVATORS

Kind	Grade*	Number of points	Maximum spread	Maximum length of handle	Approx. weight per dozen
Four-tine regular pattern, forged, curved oval tines.....	A.....	4	In. 6	In. 52	Pounds 22
Four-tine wire spring type.....	A, B.....	4	6	48	20-30
Three-tine regular pattern, or equipped with U-shaped cultivating blade.....	A.....	3	4 1/2	54	20-22
Flat-wire type.....	A, B.....	6	7	48	25
Five-tine adjustable pattern; tines flattened and points at ends.....	A, B.....	5	6 1/2-7 1/2	60	30-37
U-shaped cultivators, with straplike blades approximately 1 1/2" wide, having sharpened edges and equipped with one or two shares: One share pattern.....	A.....	Depth In. 4 1/2	Width In. 6	60	30
Two share pattern.....	A.....	4 1/2	8 1/2	60	35

\* Grade A cultivators shall have grade A handles; grade B cultivators shall have grade B handles.  
\* The three-tine pattern shall not be made by any producer who elects to make a four-tine pattern cultivator.  
\* Prongs shall not exceed 1/2-inch square in size, or its equivalent.

[F. E. Doc. 43-19579; Filed, December 8, 1943; 10:49 a. m.]

PART 3133—PRINTING AND PUBLISHING  
[Limitation Order L-241 as Amended Dec. 8, 1943]

COMMERCIAL PRINTING

§ 3133.9 Limitation Order L-241—  
(a) The purpose of this order. This order limits the amount of paper which a printer may use for commercial printing. This amount is called his quota. It is based upon the amount of paper which he used in 1941.

(b) Printing which is not covered by this order. (1) Certain types of printing are not covered by this order. When a

printer adds up the weight of paper which he used in 1941, he may not count the paper which went into those items. Also, a printer may not use the quota which he gets under this order for printing any of those items.  
(i) Newspapers (defined in Limitation Order L-240),  
(ii) Magazines (defined in Limitation Order L-244),  
(iii) Books (defined in Limitation Order L-245),  
(iv) Greeting Cards and Illustrated Post Cards (defined in Limitation Order L-239),

TABLE 2—HOOKS

Kind	Grades (*)	Tines			Width at points	Max. length of handle	Approx. weight per dozen
		No.	Length	Shape			
Manure, garbage, or refuse.....	A, B	4	8 1/2-9	Half-polished.....	In. 8 1/2	Fl. 6	Pounds 40
Phosphate.....	A	4	11	Tumbled.....	8 1/2-9	6	83
Goose-neck pattern.....	A, B	5	7	do.....	6 1/2-8 1/2	4 1/2	20
Southern or broad oval: Light pattern.....	A, B	4	8 1/2-9	do.....	5 1/2-6 1/2	4 1/2	28
Heavy pattern.....	A	4	9-9 1/2	Black.....	7 1/2-8	5	48
Stone.....	A	4	9-9 1/2	Black.....	7 1/2-8	5	54 1/2

\* Grade A hooks shall have grade A handles; grade B hooks shall have grade B handles.  
\* Weight is for best grade listed, with handle of length listed.

TABLE 3—RAKES  
[All rakes shall be made only in natural finish]

Kind	Grade *	Num. ber of teeth	Head		Max. length of handle	Weight per dozen (approx.)
			Width	Depth		
Level head, general purpose; straight and curved teeth.....	(A).....	14	In. 14 1/2	In. 3 1/2	Fl. 6 1/2	Pounds 35
Round, straight teeth.....	B.....	14	14 1/2	3 1/2	5 1/2	35
Asphalt or light straight teeth, with square drop shank for raked hoe.....	C.....	14	14	2 3/4	5	30
Comb type, flat, rake, triangular teeth.....	A, B.....	14	15 1/2-16 1/2	3 1/2-4	5 1/2	51
Eye hook type, flat, rake, triangular teeth.....	A.....	14	10 1/2-17	4 1/2	5	78
Riveted to head, 1 3/4-inch round eye.....	A.....	4	12	3 1/2	4 1/2-5	71

\* A grade rakes shall have A grade handles; B grade rakes, B grade handles; and C grade rakes, C grade handles.  
\* Weight is for highest grade listed, with handle of length listed.  
\* With 4 1/2-foot handle.

TABLE 4—HOES

Kind	Grades *	Construction		Blade size		Max. length of handle	Weight per dozen (approx.)
		Socket type b	Shank type b	Width	Depth (greatest)		
Cotton:							
Chopper, straight shank.....	A, O.....	None	1/2	In. 8	In. 4	In. 60	Pounds 37 1/2
Regular gooseneck.....	A, O.....	None	1/2	6	6	60	35
Field and garden, regular.....	A, B, O.....	7/16	7/16	6 1/2	4 1/2	60	30
Field and garden, riveted.....	O.....	7/16	7/16	6 1/2	4 1/2	60	25
Mattcock hoe "Dig Ezy" pattern, two blades in the same plane.....	A.....	None	None	1 1/2-2 1/2	12 1/2	60	17
Mortar, perforated and plain blade.....	A.....	None	None	8	8	60	22-24
Scuffle, heavy duty or railroad.....	A, O.....	None	X	8-8 1/2	4-6	60	34
Southern meadow or blackland.....	A, O.....	7/16	7/16	8	4	60	66
Square top: Regular or sugar beet pattern.....	(A, B, C).....	X	None	7	3 1/2	60	65
Renewable blade sugar beet or onion pattern.....	A.....	7/16	None	7	3 1/2	60	40 1/2
Regular onion.....	A.....	7/16	7/16	6 1/2	1 1/2	60	31

\* Grade A hoes shall have grade A handles; grade B, grade B handles; and grade C, grade C handles. The blades of grade A and grade B hoes shall be polished front and back; the blades of grade C hoes shall be polished front and back for the first third of their length. Scuffle and mattcock hoes shall be grade only in natural finish.  
\* The dimensions given are the diameters of the shanks in inches. "X" means no dimension is specified.  
\* "None" means no hoe to be made in such construction type.  
\* Weight per dozen is that for highest grade listed, with handle of length listed.  
\* Blade may be attached to shank by riveting or any other satisfactory method.  
\* Maximum.  
\* Plain blade; perforated blade approximately one pound lighter per dozen.

(v) Displays (defined in Limitation Order L-294).

(vi) Wall Paper (defined in Limitation Order L-177).

(vii) Boxes (defined in Limitation Order L-239).

(viii) Converted products named in lists A, B, C, or D of General Conservation Order M-241-a.

(ix) Any other "converted products" defined in General Conservation Order M-241-a, except those which must be printed in order to serve the purpose for which they are made. For example, paper drinking cups or paper plates are among the items which are not covered by this order, even though they may contain some printing, because they are just as useful without that printing. On the other hand, items such as calendars or maps would be useless without printing. Therefore, such articles are included in this order and they should be counted when a printer determines, and uses, his quota.

(2) These rules apply to every printer; if makes no difference what kind of a plant he has. In other words, a printer may use practically all his paper for greeting cards or newspapers, or other items listed above, but any additional paper which he puts through his presses is limited by this order.

(c) *Printing which is not restricted.*

(1) Certain types of printing are so important that a printer is not limited in the amount of paper which he may use for such purposes. They are:

(i) Printing which is required by a Federal, State, County or Municipal law, ordinance or regulation.

(ii) Printing which is ordered and paid for by a department or agency of the United States, its territories or possessions, or any State, County or Municipality of the United States. Official Army or Navy newspapers or news sheets are included in this type of printing if (a) they are ordered by the officer in command of the Army or Navy establishment; (b) they contain no paid advertising; and (c) they are not owned, edited or operated by civilians but are run entirely by military personnel (although the printing may be done in commercial plants).

(2) When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into those items. Also, a printer may use an unlimited amount of paper for those items from now on.

(d) *Limits on the amount of paper which a printer may use.* In figuring out his quota for any calendar quarter a printer may choose between two different methods, depending on the needs of his particular plant:

(1) *First method.* (i) Add up the total pounds of paper used in 1941.

(ii) Subtract the pounds of paper used in 1941 for the items covered by other orders, as listed in paragraph (b) above.

(iii) Subtract the pounds of paper used in 1941 for the unrestricted items listed in paragraph (c) above.

(iv) Take 21¼ percent of the difference.

(v) This is the printer's quota for the calendar quarter. He may use that many

pounds of paper for any type of printing which is not covered by other orders, as listed in paragraph (b). Also, he may use any amount of paper in addition to his quota for the unrestricted items described in paragraph (c).

(2) *Second method.* (i) Add up the total pounds of paper used during the same calendar quarter of 1941.

(ii) Subtract the pounds of paper used during that quarter of 1941 for the items covered by other orders, as listed in paragraph (b).

(iii) Subtract the pounds of paper used during that quarter of 1941 for the unrestricted items listed in paragraph (c).

(iv) Take 85 percent of the difference.

(v) This is the printer's quota for the calendar quarter. He may use that many pounds of paper for any type of printing which is not covered by other orders, as listed in paragraph (b). Also, he may use any amount of paper in addition to his quota for the unrestricted items described in paragraph (c).

(3) *Yearly limit.* Even though quotas operate on a quarterly basis, there is a yearly limit on a printer's use of paper. During the year 1943 a printer may not use for the types of printing covered by this order more than 88¼ percent of the paper which he used for such printing in 1941. During the year 1944 and each year after that, a printer may not use for printing covered by this order more than 85 percent of the paper which he used for such printing in 1941. As long as he keeps within his yearly limit, he may use one of the two methods described above in one quarter and the other in another quarter.

(4) *Borrowing.* Because of seasonal differences, a printer may use, under either method, an extra 15 percent above his quota if he uses that much less during the next quarter. Also, if he uses less than he is allowed for one quarter, he may increase his use in later quarters by that amount.

(e) *Exceptions.* The requirement that a printer may use only a percentage of the paper which he used in 1941 does not apply, in any calendar quarter, to a printer whose gross sales in that quarter for the types of printing covered by this order are less than \$1,250. In addition, it does not apply, in any calendar quarter, to a printer who uses less than 1¼ tons of paper in that quarter for the types of printing covered by this order.

(f) *Prohibited and restricted uses of paper and paperboard.* The War Production Board may issue, from time to time, schedules which will prohibit the use of paper and paperboard in certain items and limit the use of paper and paperboard in other items.

(g) *Definitions and explanations.* (1) "Printer" means anyone who operates a printing plant. It does not mean a publisher or a person who orders printing.

(2) A printer may not use more than his quota for the types of printing covered by this order, even if the blank paper is supplied to him by some other person.

(3) The limits in this order on the amount of paper which may be used during any calendar quarter apply to the

quarter beginning October 1, 1943, and to each calendar quarter after that.

(4) Sometimes paper is put through a press more than once, either by the same printer or by different printers—for instance, when several colors are used or when the imprint of a particular distributor is added after part of the printing is done. For the purposes of this order the paper is deemed to be "used" when the first ink is applied to it. It makes no difference how many other applications of ink are put on the paper by the same or different printers.

(5) When a job is started in one calendar quarter and runs over into the next, the paper actually used during each quarter must be charged against the printer's quota for that quarter. The entire job may not be regarded as if it were started and finished in the same quarter.

(6) It sometimes happens that one printer does work for another printer, and there is a question as to which one should deduct the paper from his quota. Printer A may "farm out" certain work by purchasing "press time" from Printer B. This may be done, for example, where Printer A cannot fill an order for a customer because he does not have available the right equipment, material, personnel, or facilities. In such a case, where the customer looks only to A for the finished product and where B acts merely as a sub-contractor, the paper may be charged against A's quota, even though B actually does the printing. This does not mean that A may assign his quota to B. The rules governing this subject are contained in Priorities Regulation 7-A.

(h) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(i) *Records which must be kept.* In order to assure compliance with this order, every printer must calculate, as accurately as he can, the weight of paper which he used during each quarter of 1941 for the items covered by this order. He must also keep accurate records of this type of information for each calendar quarter beginning with January 1, 1943. He must preserve these figures and his work sheets for inspection by War Production Board officials as long as this order remains in force and for two years after that.

(j) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under-priority control, and may be deprived of priorities assistance.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal.



(1) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-241.

Issued this 8th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE I

(a) *General Limitations.* (1) No person may manufacture or cause to be manufactured any of the items in List (A) of this schedule in a basis weight, thickness, area or weight per unit greater than the maximum specified for such use. The above restriction does not apply to paper or paperboard which had been manufactured prior to October 21, 1943, provided, the printing of such paper or paperboard is completed by March 15, 1944.

(2) During the fourth quarter of 1943, no person may cause to be consumed in the printing of any item in List (B) of this schedule more than 85%, by weight, of the paper or paperboard consumed in the printing of that item during the 4th quarter of 1941. During the year 1944, and each year after that, no person may cause to be consumed in the printing of any item in List (B) of this schedule more than 85%, by weight, of the paper or paperboard consumed in the printing of that item in 1941. It is not necessary for the weight of each copy to be reduced, as long as the total weight of paper consumed in the printing of all copies is reduced by the required amount.

#### LIST A

Art reproductions, without advertising—basis weight 25 x 38—120#.

Diaries, date books, desk calendar pads, and advertising memo pads 9" x 6" or smaller—basis weight 17 x 22—16#. Larger than 9" x 6" basis weight 17 x 22—20#.

Dodgers and handbills—basis weight 24 x 36—35#.

News letters and loose leaf services other than books (as defined in Order L-245)—basis weight 17 x 22—16# if printed on one side; basis weight 17 x 22—18# if printed on two sides.

Accounting records, books and forms—basis weight 17 x 22—32#.

Corporate securities, checks, domestic and foreign currency—basis weight 17 x 22—24#.

Notes, contracts, mortgages, wills, deeds and insurance policies—basis weight 17 x 22—20#.

Letterheads—basis weight 17 x 22—16#.

Card indexes and card records—basis weight 25½ x 30½—140#.

Time cards and tabulating cards—caliper .013 inches.

County record books—basis weight 17 x 22—36#.

Prospectuses for the sale of securities—basis weight 25 x 38—50#.

Legal briefs and records on appeal—basis weight 25 x 38—50#.

All other office, business, financial and legal forms, except blank books—basis weight 17 x 22—16#.

Road and street maps and guides for civilian use—basis weight 17 x 22—20#.

Telephone directories—body basis weight 24 x 36—28#; cover basis weight 22½ x 28½—110#.

NOTE: Schedules I, II and III to Order L-120 provide: "Paper may be manufactured in any basis weight or thickness permitted for a particular use by any subsequent order, provided the basis weight or thickness does not exceed the maximum specified by the

War Production Board for such use, and provided all other provisions of this or such subsequent order are fully complied with." Pursuant to this provision the manufacture of paper in the basis weights specified in this list for art reproductions, corporate securities, checks, domestic and foreign currency, and telephone directory covers is hereby permitted. All other basis weights specified in this list may be manufactured only in the grades in which they are permitted under the relevant schedules to Order L-120.

#### LIST B

Catalogues issued more frequently than once every four years.

Directories, except telephone directories and books (as defined in Order L-245).

Shopping and free distribution newspapers.

[F. R. Doc. 43-19577; Filed, December 8, 1943; 10:49 a. m.]

#### PART 3207—INDUSTRIAL TYPE INSTRUMENTS, CONTROL VALVES AND REGULATORS: SIMPLIFICATION

[Limitation Order L-272, Schedule I, as Amended Dec. 8, 1943]

#### CONTROL VALVES

§ 3207.2 *Schedule I to Limitation Order L-272—(a) Definition.* "Control valve" means any globe type valve, the inner portion of which is automatically positioned, by pneumatic or hydraulic motive power, and which is produced and designed for use with any industrial type instrument, and shall include any body assembly thereof irrespective of the use to which such body assembly may be applied; exclusive, however, of control valves manufactured for use on watercraft other than pleasure craft, and exclusive of flow diversion valves manufactured for use in the pasteurization of milk.

(b) *Specifications.* (1) Screwed, union and flanged ends for bronze, iron and steel body control valves shall be manufactured only as follows:

(a) Screwed ends up to and including 2-inch sizes for primary pressure rating of 600-lb. American Standards Association and lower.

(b) Flanged ends, 2-inch size and above.

(c) Union ends shall be eliminated.

(2) Flanged body control valves shall be manufactured only with flanged facings and for primary pressure ratings as follows:

(a) Cast steel control valve bodies:

300-lb. American Standards Association.  
600-lb. American Standards Association.  
900-lb. American Standards Association.  
1500-lb. American Standards Association.

End flange faces shall be either American Standards Association large male face; American Standards Association octagonal ring joint groove; or American Petroleum Institute octagonal ring joint groove, providing the groove is cut in the basic flange thickness in the 300-lb. pressure class.

(b) Cast iron control valve bodies:

125-lb. American Standards Association.  
250-lb. American Standards Association.

(c) Bronze control valve bodies:

150-lb. Manufacturers Standardization Society—SP2.

300-lb. Manufacturers Standardization Society—SP2.

(3) Reduced area trim in balanced type control valves shall be furnished only where safety considerations require such construction.

(4) The following sizes of control valves shall be eliminated:

3½ inch—4½ inch—5 inch—7 inch.

(5) Materials for control valve bodies shall be limited to bronze, cast iron, cast carbon steel or forged carbon steel; except that carbon molybdenum steel may be used in the 600-lb., 900-lb. and 1500-lb. American Standards Association primary pressure classes, or for operating temperatures exceeding 1000 degrees Fahrenheit or below minus 50 degrees Fahrenheit.<sup>1</sup>

(6) Producer's standard forms of the following classes shall be manufactured only:

Parabolic.  
V-port.  
Quick-opening.

(This limitation does not restrict the manufacture of butterfly, angle or needle type valves).

(7) Inner valves and seat rings for control valves shall be manufactured from the following materials only:

(a) Carbon steel.

(b) Stainless steel of chromium content not to exceed eighteen percent and nickel content not to exceed eight percent.<sup>1</sup>

(c) Bronze or brass.

Issued this 8th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19581; Filed, December 8, 1943; 10:49 a. m.]

#### PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-185 as Amended Dec. 8, 1943]

#### WATER HEATERS

§ 3288.51 *General Limitation Order L-185—(a) Definitions.* (1) "Fuel oil" means any liquid petroleum classified as grade No. 1, 2, 3, 4, 5, or 6, including Bunker "C" fuel oil, kerosene, range oil, gas oil and any other liquid petroleum product used for the same purpose as the above designated grades.

(2) "Direct fired water heater" means any device for the direct transference of heat produced by the combustion of coal, wood, fuel oil or gas, or derived from solar rays, to the water of a domestic hot water supply system. The term includes, but is not limited to, coils,

<sup>1</sup> See paragraph (c) (2) of Limitation Order L-272.

side-arm water heaters, bucket-a-day stoves, laundry stoves, dome type water heaters, service water tank heaters, automatic storage water heaters, instantaneous or continuous flow water heaters, underfired storage water heaters, and solar water heaters. The term does not include any tank used in conjunction with any direct fired water heater, the manufacture of which is governed by Limitation Order L-199, any low pressure cast iron boiler designed for the purpose of heating water to provide heat for the interior of a building by means of circulating steam or hot water.

(3) "Indirect water heater" means any device to which steam or hot water is piped for the transference of the heat of such steam or hot water to the water of a hot water supply system, or the water of a hot water space heating system. The term includes, but is not limited to, coils, side arm water heaters, storage water heaters, submerged type water heaters, hot water generators, and pre-heaters, also instantaneous or continuous flow water heaters having coil bundles 12 inches in diameter or less, (if other than circular in cross section and the internal cross section area is 113 square inches or less). The term does not include any heat exchanger having coil bundles greater than 12 inches in diameter, or any tank used in conjunction with any indirect water heater, the manufacture of which is governed by Limitation Order L-199. It is not intended by the foregoing definition to include any product which is controlled by Orders L-172 or M-293.

(4) "Hot water supply system" means any system of supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water solely for specialized industrial or agricultural purposes.

(5) "Hot water space heating system" means any system which is designed for the purpose of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(6) "Metal jacket" means any metal covering, lining, or portion thereof (but not any metal band two inches or less in width used to support a jacket which holds dry insulation) for any direct fired or indirect water heater, except any metal covering, lining, or portion thereof which conducts flue gases, water, or steam through and to the outside of a direct fired or indirect water heater, and except any ferrous metal wire netting used as a base for the wet application of insulating material.

(7) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(8) "Producer" means any person who manufactures, fabricates or assembles new direct fired or indirect water heaters.

(b) *Manufacture and installation of metal jackets.* No person shall manufacture, fabricate or assemble any metal jacket, or install any metal jacket (whether or not for repair or replacement), except

(1) To fill a specific contract, subcontract or purchase order for a metal jacket to be used as part of the equipment of any aircraft or any vessel other than a pleasure craft; and

(2) For any direct fired water heater using fuel oil as fuel.

(c) *Use of copper in manufacture.* No person shall use in the manufacture, fabrication or assembly of any direct fired or indirect water heater any copper or copper base alloy, except

(1) For repair or replacement parts;

(2) For temperature, pressure, vacuum or electrical controls, safety devices or valves;

(3) To fill a specific contract, subcontract or purchase order for use in the laundry, bakery or hospital projects of the Army, Navy, War Shipping Administration or Maritime Commission of the United States;

(4) For use as part of the equipment of any aircraft or any vessel for delivery to or for the account of the Army, Navy, War Shipping Administration or Maritime Commission of the United States;

(5) For use by the Army or Navy of the United States outside the forty-eight States and the District of Columbia; or

(6) For coils and tubular units built of tubing of 1½" inside diameter or less for indirect water heaters only. However, the shells, heads, tube plates, spacer plates, terminal outlets and other cast parts of indirect water heaters shall be of ferrous metal or non-metallic materials.

(d) *Use of copper in installation or repair and replacement parts.* (1) No person shall, in any repair or replacement, use or install parts containing in the aggregate more than two pounds of copper or copper base alloy if the weight of the copper or copper base alloy so used or installed exceeds by more than one pound the weight of copper and copper base alloy replaced.

(2) All copper and copper base alloy replaced in any repair shall be delivered by the person making the repair to a scrap dealer or other person specified under Supplementary Order M-9-b.

(e) *Restriction on production.* (1) During the period from July 1, 1943 to June 30, 1944 inclusive, no person shall manufacture, fabricate or assemble units of direct fired or indirect fired water heaters as herein defined, in excess of the percentage of his 1941 unit production of the same classification of hot water heaters, which is indicated in Schedule A hereto attached.

(2) The restrictions of paragraph (e) (1) do not apply to the manufacture, fabrication or assembly of direct fired or indirect water heaters for delivery to or for the account of the Army, Navy,

War Shipping Administration or Maritime Commission of the United States.

(f) *Direct fired and indirect water heaters to be delivered only on rated orders.* On and after August 1, 1943 no person shall deliver any direct fired or indirect water heater except on an order rated A-10 or higher.

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board, for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-185.

(i) *Reports.* Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under Priority Control and may be deprived of priorities assistance.

Issued this 8th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

SCHEDULE A: PERMITTED PERCENTAGES OF 1941  
UNIT PRODUCTION

A. Direct fired water heaters:	Percent
1. Underfired water heaters.....	65
2. Coal and wood fired water heaters.....	70
3. Side-arm heaters and waterbacks.....	70
4. All others.....	39
B. Indirect water heaters.....	29

[F. R. Doc. 43-19583; Filed, December 8, 1943;  
10:43 a. m.]

Chapter XI—Office of Price  
Administration

PART 1346—BUILDING MATERIALS  
[MPR 413; Amtr. 3]

HINGES AND BUTT HINGES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 413 is amended in the following respects:

1. Section 7 (a) is amended to read as follows:

\*Copies may be obtained from the Office of Price Administration.

18 FR. 2348, 9774, 11375.

SEC. 7. *Maximum prices on sales by manufacturers*—(a) *Listed items*—(1) *Sales to jobbers.* The prices specified in section 21 are list prices. The manufacturer's maximum prices on sales to a jobber shall be the prices specified in section 21 subject to the following discounts:

Starred items----- 50% and 5% and 5%  
Unstarred items----- 50% and 5%

"Starred items" are those items listed in section 21 designated by an asterisk. "Unstarred items" are all other items listed in section 21.

"Manufacturer" means a person operating an establishment which fabricates hinges or butt hinges, and any subsidiary or affiliate, commission salesman, or other agent of such person.

"Jobber" means a person who customarily buys hinges or butt hinges from a manufacturer for resale and sells primarily to other sellers.

(2) *Sales to manufacturers of locks and lock sets or other finishing builders' hardware.* The manufacturer's maximum prices on sales to manufacturers of locks and lock sets or other finishing builders' hardware shall be the prices specified in section 21 subject to the same discounts which were extended or would have been extended to such manufacturers on comparable sales on October 1, 1941.

(3) *Sales to the United States Government or any agency thereof.* The manufacturer's maximum prices on sales to the United States Government or any agency thereof shall be the prices specified in section 21 subject to the same discounts which were extended or would have been extended to the United States Government or any agency thereof on October 1, 1941.

(4) *Sales to contract hardware distributors.* The manufacturer's maximum price on sales to contract hardware distributors, shall be the prices specified in section 21 subject to the discounts which the manufacturer extended or would have extended to such contract hardware distributors on comparable sales on October 1, 1941.

(5) *Sales to all other purchasers including, but not limited to, retail stores, mail order houses, chain stores, and lumber yards.* The manufacturer's maximum prices on sales to all other purchasers including, but not limited to, retail stores, mail order houses, chain stores, lumber yards, but excluding sales at retail, sales as a retailer, or sales pursuant to a contract sale, shall be the prices specified in section 21 subject to the discounts which the manufacturer extended or would have extended to purchasers of the same class on comparable sales on October 1, 1941.

2. Section 8 (a) is amended to read as follows:

(a) *Sales by jobbers located in Zone 1.* The maximum prices for sales of hinges or butt hinges by jobbers located in Zone 1, except sales at retail, sales as a retailer, or sales pursuant to a contract sale, shall be the prices specified in section 21 subject to the following discounts:

Starred items----- 40%  
Unstarred items----- 30% and 10%

There may be added to the maximum prices so established an amount representing the actual cost of securing delivery from the manufacturer by shipments of less than 100 pounds by parcel post or express. However, the jobber must show such amount on the purchaser's invoices as a separate item.

Applicable provisions with respect to cash discounts, services, and delivery charges are set forth in paragraphs (f) and (g) below, respectively.

3. Section 8 (b) is amended to read as follows:

(b) *Sales by jobbers located in Zone 2.* The maximum prices for sales of hinges and butt hinges by jobbers located in Zone 2, except sales at retail, sales as a retailer, or sales pursuant to a contract sale, shall be the prices specified in section 21 subject to the following discounts:

Starred items----- 40%  
Unstarred items----- 30% and 10%

(1) *Delivery charges.* A jobber located in Zone 2 shall be permitted to collect from his purchaser as a part of his maximum price the charge of securing delivery from the manufacturer on the basis of:

(i) An amount representing the actual cost of securing delivery from the manufacturer's shipping point to the place where the jobber takes delivery. In such case, the amount of the actual delivery charge must be shown as a separate item on the purchaser's invoice; or

(ii) An amount computed on a carload lot basis from the manufacturer's shipping point to the place where the jobber takes delivery: *Provided*, That in no event shall the amount exceed the actual delivery charges permitted under subdivision (i) above.

If a jobber chooses the method outlined in subparagraph (ii) above he must establish a new list price for each item listed in section 21 which he sells including the delivery charge computed on a carload lot basis from the manufacturer's shipping point to the place where the jobber takes delivery and must comply with the provisions of section 11 (b).

This amendment shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 43-19550; Filed, December 7, 1943; 12:09 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MFR 225; Amdt. 9]

PRINTING AND PRINTED PAPER COMMODITIES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and

\* 8 F.R. 4181, 7382, 10983, 12660.

has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 225 is amended in the following respects:

1. Section 1347.475 is amended so that the paragraph headed "*Printed and Engraved Social Stationery as follows*" shall read as follows:

*Social stationery, printed, engraved or plain, including but not limited to:*  
Papeteries: matching paper and envelopes boxed or packaged together or separately.  
Package or pound papers and/or package or pound envelopes.  
Correspondence quire or ream goods.  
Paper and paperboard writing portfolios and similar containers sold together with personal correspondence paper and/or envelopes.  
Announcements (weddings, births, deaths, etc.) paper, cards and/or envelopes.  
Invitations (weddings, occasions, etc.) paper, cards and/or envelopes.  
Calling cards: personal or business.  
Book plates: ownership or library classification labels.

2. Section 1347.475 is amended so that the following item is added at the end of the list of items under the paragraph headed "*Tablets, pads and related products, as follows:*"

Ream papers, plain or ruled.

3. Section 1347.477 (c) is added to read as follows:

(c) *Sales of tablets, pads, and related products made from newsprint paper.* This paragraph (c) provides a method by which a manufacturer or reseller of any of the enumerated items may reduce the number of sheets contained in the item without accompanying reduction in the maximum price of the item: *Provided, however*, That this paragraph (c) shall not apply to the commodities identified in paragraph (d).

(1) Tablets, pads, and related products as listed in § 1347.475 of Maximum Price Regulation 225, when made from white newsprint and when measuring 80 square inches or more in surface; and any such items made from yellow newsprint and measuring 90 square inches or more in surface. Sheet count may be reduced by not more than 5 sheets from the number supplied at maximum price prior to November 1, 1943 in an item made to be sold at retail at 5 cents per unit, and not more than 10 sheets may be withdrawn from an item made to be sold at retail at 10 cents per unit.

(2) Tablets, pads, and related products as listed in § 1347.475 of Maximum Price Regulation 225, when measuring less than 80 square inches in surface; and any such items made from yellow newsprint and measuring less than 90 square inches in surface. Sheet count may be reduced by not more than 10 sheets from the number supplied at maximum price prior to November 1, 1943 in an item made to be sold at retail at 5 cents per unit, and not more than 20 sheets may be withdrawn from an item made to be sold at retail at 10 cents per unit.

(3) In determining whether an item made from white newsprint paper is less than 80 square inches or whether an item

\*Copies may be obtained from the Office of Price Administration.

made from yellow newsprint paper is less than 90 square inches, customary manufacturing tolerances in dimensions shall be followed; thus, a tablet known as "8 by 10, white" shall be considered 80 square inches in surface notwithstanding that manufacturing tolerances might cause its actual dimensions to be  $7\frac{7}{8}$  inches by 10 inches.

4. Section 1347.477 (d) is added to read as follows:

(d) *Sales of plain or ruled newsprint paper cut to size, packaged in 500 or 1000 sheets.* The seller may add to his maximum price as established under § 1347.452 a sum equal to the difference between paper cost to him in March 1942 and the paper cost to him under applicable regulations and orders of the Office of Price Administration. Such regulations and orders include but are not limited to Revised Maximum Price Regulation No. 130<sup>2</sup> and Maximum Price Regulation No. 449,<sup>3</sup> as amended.

5. Section 1347.477 (e) is added to read as follows:

(e) For the purpose of paragraphs (c) and (d) above the term "newsprint paper" includes but is not limited to any of the papers listed in Revised Maximum Price Regulation No. 130, Newsprint, and Maximum Price Regulation No. 449, Groundwood Specialty Papers.

This amendment shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19559; Filed, December 7, 1943; 12:10 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,<sup>1</sup> Amdt. 37]

##### FLUID MILK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1351.808 (h) is amended to read as follows:

(h) *Fluid milk.* (1) Fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants, and institutions, in the "Dallas Regional Area", "Memphis, Tennessee Area", "Chicago, Illinois Area", "New York Metropolitan Area", "Baltimore-Annapolis, Maryland Area", and State of Florida. Maximum prices for such sales are set in § 1499.73a (a) (1) of Supplementary Regulation No. 14A to the General Maximum Price Regulation.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 5165, 7566, 6357, 7196, 7599, 7670, 8065, 8180, 9521, 9386, 9883, 10513, 11811, 13060, 13721.

<sup>2</sup> 7 F.R. 9251, 10255; 8 F.R. 1586, 2670, 7766, 11382.

<sup>3</sup> F.R. 11515, 14984.

(2) Fluid milk sold at wholesale in bulk (other than in glass or paper containers) to the Army or Navy for resale, as through sales stores, canteens and post exchanges. Maximum prices for such sales are set in § 1499.73a (a) (1) of Supplementary Regulation No. 14A to the General Maximum Price Regulation.

This amendment shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19560; Filed, December 7, 1943; 12:12 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 468,<sup>1</sup> Amdt. 1]

##### OYSTER AND CLAM SHELLS

A statement of the considerations involved in the issuance of this amend-

Commodity	Maximum price per ton		
	In carload lots to any person	In less than carload lots to wholesalers and retailers	In less than carload lots to other than wholesalers and retailers
Dredged oyster shells.....	\$3.00	\$3.75	\$10.00
Fresh oyster shells.....	12.00	12.75	14.00
Clam shells.....	19.00	12.75	14.00

Plus transportation charges from production plant to the buyer's receiving point by a usual route and method of transportation.

(b) The foregoing maximum price shall be increased or decreased, as the case may be, for a like sale of other sizes or grades of oyster or clam shells by the differential prevailing in the seller's own business (or, if none, normal to the trade) during March 1942 over or under the price for poultry and medium sized oyster and clam shells.

This amendment shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19551; Filed, December 7, 1943; 12:09 p. m.]

#### PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 369,<sup>1</sup> Amdt. 10]

##### CERTAIN SAUSAGE ITEMS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

<sup>1</sup> 8 F.R. 14662.

<sup>2</sup> 8 F.R. 5903, 6958, 6946, 8185, 8677, 10908, 10907, 11956, 13340, 15192.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 486 is amended in the following respects:

1. The definitions of wholesaler and retailer in section 3 are changed to read as follows:

"Wholesaler" is a person who buys oyster and clam shells, unloads them into a warehouse and resells the same to retailers or mixed feed manufacturers in less than carload quantities.

"Retailer" is a person who buys oyster or clam shells and resells the same in less than carload quantities to feeders.

2. Section 4 is amended to read as follows:

SEC. 4. *Maximum prices for sales of domestic oyster and clam shells by processors.* (a) The maximum price for the sale of domestic poultry and medium sized oyster and clam shells, bulk, by a processor shall be as follows:

Maximum Price Regulation No. 389 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *What this regulation does—*(a) *In general.* This regulation fixes dollar-and-cents ceiling prices on certain sausage and sausage products. On and after June 1, 1943, the date this regulation takes effect, no person may sell or deliver, except at retail, and except to a canner for the manufacture of canned sausage for a war procurement agency, and no person in the course of trade or business except such a canner may buy or receive sausage or sausage products at prices higher than the prices permitted by this regulation. But lower prices may be charged or paid.

(b) *Sausage products not covered by this regulation.* The provisions of this regulation do not apply to the following sausage products:

(1) The customary types of dry and semi-dry sausage other than those included in the kinds of sausage defined in section 13 of this regulation; cooked or smoked thuringer; cooked or smoked cervelat; cooked salami; scrapple; sulze or souze; pork roll made from skeletal pork only, which has a yield not in excess of 95 percent and a fat content not in excess of 20 percent; ham roll made from boneless ham only, which has a yield not in excess of 95 percent and a fat content not in excess of 20 percent; lunch roll made from skeletal pork only, which has a yield not in excess of 100

percent and a fat content not in excess of 20 percent; pork pudding containing less than 30 percent livers; head cheese; blood sausage; blood and tongue sausage; tongue roll; tongue loaf; tongue salad; fresh thuringer containing pork, beef or veal; fresh bockwurst containing pork, beef or veal; fresh Italian sausage made of skeletal pork, with no more than 30 percent fat; smoked brattwurst; chili-con-carne; roast beef loaf; corned beef loaf; jellied corned beef; goose liver style sausage containing tongues, sweetbreads and pistachio nuts; and imitation or mock chicken loaf.

(2) Canned sausage; sausage and sausage products subject to Revised Maximum Price Regulation No. 148 or Maximum Price Regulation No. 156 or Maximum Price Regulation No. 286 when sold to a war procurement agency.

2. Section 4 (b) (1) is amended to read as follows:

(1) *All sausage must be labelled.* No sausage or sausage product subject to this regulation may be manufactured for sale, held for sale, offered for sale, or sold, or bought in the course of trade or business, unless it bears a descriptive label in accordance with the provisions of this section.

3. Section 4 (b) (2) is amended to read as follows:

(2) *Where the label must be placed.* A label satisfying the requirements of this section shall appear on each one and one-half pounds of frankfurters and pork or breakfast sausage stuffed in sheep or hog casings, and once on each piece of other sausage or sausage product stuffed in casings or packed in wrappers, including but not limited to pork or breakfast sausage (other than that stuffed in sheep or hog casings), bologna, loaves, all beef sausage, kosher sausage, New England, Berliner or Berlin, liver sausage and Polish sausage. The label may be a band or tag securely affixed to the sausage or sausage product or printed or stamped upon the outside of the casing or wrapper. A similar label also shall be stamped or printed upon the outside of the carton or other immediate container in which the sausage is placed.

4. Section 4 (b) (3) (i) is amended to read as follows:

(i) The name of the kind of sausage or sausage product as used in this regulation and, in addition if the seller desires, a trade name, provided it does not include the name of some other kind of sausage or sausage product priced under this regulation.

5. Section 4 (b) (3) (iii) is amended to read as follows:

(iii) Whatever of the following letters or words are appropriate to show the kind of casing used: H. C. for hog casing; S. C. for sheep casing; B. C. for beef casing; A. C. for artificial casing; except that no such designation is required for an artificial casing on which is printed the casing manufacturer's name

or trademark; skinless, where artificial casings have been removed by the manufacturer. Where the same price applies to the sausage or sausage product in each kind of natural casing, the letters N. C., indicating natural casing, may be used. The label need not contain a designation of the kind of casing used where the same price applies to the sausage or sausage product no matter what kind of casing, carton or wrapper is used.

6. Section 4 (b) (4) is amended to read as follows:

(4) *Temporary non-use of labels on certain sausage items.* (i) A seller may apply to a nearby District Office of the Office of Price Administration for authorization to sell specific sausage items other than the sausage items defined in section 13 (f), (g) or (h) of this regulation, without having to label such sausage items. The application shall be a sworn statement setting forth the efforts made by the seller to obtain labels and the reasons why such labels were not obtained prior to November 1, 1943. The seller shall attach to the sworn statement copies of all correspondence with label suppliers regarding his efforts to secure labels. The District Manager may, in writing, authorize a seller whose application shows that he has made diligent and reasonable efforts to secure labels and was unable to secure the same prior to November 1, 1943, to sell specific sausage items without having to label the same until the receipt of labels for these items. In no event shall an authorization under this paragraph extend beyond December 31, 1943.

(ii) Prior to February 21, 1944, the seller shall not be required to use labels satisfying the requirements of this section on the sausage or sausage products defined in section 13 (f), (g) or (h) of this regulation.

7. Item (1) of the price table in section 12 (a) is amended by changing the heading of the second column of prices to read, "Type 2 Skeletal pork", in place of "Type 2 Skeletal meat".

8. Item (5) of the price table in section 12 (a) is amended to read as follows:

(5) All beef sausage:

(i) Frankfurters:	
Sheep casings (S. C.)	28.25
Hog casings (H. C.) or skinless	25.25
Artificial casings (A. C.)	24.75
(ii) Bologna and knackwurst:	
Natural casings (N. C.)	23.25
Artificial casings (A. C.)	22.50
(iii) Salami:	
Artificial casings (A. C.)	28.25
(iv) Lebanon bologna:	
Natural casings (N. C.)	27.25
Artificial casings (A. C.)	26.50

9. Item (6) of the price table in section 12 (a) is added to read as follows:

(6) Loaves in artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper:	
Type 1	37.50
Type 2	28.00
Type 3	19.00
Type 4	15.50

10. Item (7) of the price table in section 12 (a) is added to read as follows:

(7) Liver products:

(i) Braunschweiger:

Sewed hog bungs (H. C.)	24.75
Other hog casings (H. C.)	23.25
Artificial casings (A. C.)	20.50

(ii) Liver sausage, smoked:

Sewed hog bungs (H. C.)	22.75
Other hog bungs (H. C.)	21.25
Artificial casings (A. C.)	19.25

(iii) Liver sausage, fresh:

Hog bungs (H. C.)	20.75
Beef casings (B. C.)	19.25
Artificial casings (A. C.)	18.75

(iv) Liver cheese:

Artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper	24.25
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(v) Liver loaf:

Artificial casings (A. C.), natural casings (N. C.), cardboard cartons or sealed packages of moisture resistant paper	18.50
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(vi) Liver pudding:

Beef casings (B. C.)	16.00
Artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper	15.50

11. Item (8) of the price table in section 12 (a) is added to read as follows:

(8) Miscellaneous sausage:

(i) New England:

Natural casings (N. C.)	36.25
Artificial casings (A. C.)	35.75

(ii) Minced luncheon:

Natural casings (N. C.)	23.25
Artificial casings (A. C.)	22.75

(iii) Berliner or Berlin:

Natural casings (N. C.)	21.75
Artificial casings (A. C.)	21.25

(iv) Polish sausage in hog casings, or skinless:

Type 1	33.75
Type 2	26.75
Type 3	20.25

12. Section 12 (b) is amended to read as follows:

(b) *Table of zone differentials.* Depending upon the location of the point of delivery, the seller may add to the base price per hundredweight the applicable one of the following zone differentials:

Zone	Kosher sausage	All beef sausage	Sausage containing meat and meat by-products from swine only	All other sausage
1	\$1.75	\$1.75	\$2.50	\$2.00
2	1.00	1.00	1.50	1.00
3			1.25	0.75
4			0.75	0.50
4a				
5	0.50	0.50	0.25	0.50
6	0.75	0.75	0.50	0.75
7	1.00	1.00	0.75	1.00
8	1.25	1.25	1.00	1.25
9 north of Potomac River	3.00	1.50	1.25	1.50
9 south of Potomac River	1.50	1.50	1.25	1.50
10	1.75	1.75	1.50	1.75

13. Section 12 (c) is amended to read as follows:

(c) *Permitted additions to base prices—(1) Selling costs.* One of the fol-



lowing amounts may be added to cover the cost of selling:

	Per cwt.
On sales to wholesalers, peddler truck sellers and hotel supply houses	\$0.50
On sales to retailers and purveyors of meals made by other than hotel supply houses	1.50
On peddler truck sales to retailers and purveyors of meals	2.50
On sales to purveyors of meals by hotel supply houses	2.75

(2) *Local delivery.* Where the seller makes local delivery to the buyer's store door, otherwise than by peddler delivery, he may add \$0.25 per hundredweight if such delivery is completed within 25 miles of the point from which such local delivery starts, or \$0.50 per hundredweight if such delivery is completed over 25 miles from such starting point. A store means a restaurant, hotel, or retail store, or a wholesaler's or hotel supply house's warehouse.

(3) *Boxing and packaging.* The following amounts may be added for boxing and/or packaging:

Container	Net weight (pounds)	Permitted addition per hundredweight	
		Kosher and all beef sausage	Other sausage
Keg, brine on	25 or less	\$2.50	\$1.75
Keg, brine on	25 to 50	2.00	1.25
Keg, brine on	50 to 100	1.75	1.00
Barrel, brine on	100 to 200	1.50	.75
Tierce, brine on	Over 200	1.00	.25
Wood box	All weights	.50	
Fibre box	All weights	.25	

For Type 2 pork sausage in sheep casings packaged in one pound paper cartons

Per cwt.

\$1.00

(4) *Intermediate distributors.* If a hotel supply house, wholesaler, or peddler truck seller has paid any charge under subparagraphs (c) (1) and/or (c) (2) of this section, and/or any transportation charges to a common carrier under section 2 (b) (1) (ii) (d), he may, upon resale, add such charge or charges to the base price in addition to any other amounts permitted to be added by section 12 (c): *Provided*, That no buyer is charged more than \$0.50 per hundredweight for local delivery under subparagraphs (c) (2) and (c) (4) of section 12.

14. A definition of "finished weight", inserted in the proper alphabetical place in section 13 (b), is added to read as follows:

"Finished weight" means the weight of the product when shipped or when ready for shipment.

15. A definition of "major ingredient", inserted in the proper alphabetical place in section 13 (b), is added to read as follows:

"Major ingredient" means an ingredient which predominates in weight over any single minor ingredient.

16. Section 13 (f) is added to read as follows:

(f) *Loaf.* "Loaf" means a product made of chopped, ground or comminuted meat or meat by-products or any combination thereof; seasoned; prepared in loaf form; with condiments added if desired; cooked; which has sufficient stability to withstand handling; and which is stuffed in artificial casings or packed in sealed printed cardboard cartons, or sealed printed wrappers made from cellophane, parchment or other moisture resistant paper, with such cartons or wrappers having the loaf manufacturer's brand name or trademark printed thereon. The use of caul fat as a covering does not make caul fat an ingredient within the meaning of this regulation.

"Type 1 loaf" means a loaf which is made of pork; which has a fat content not in excess of 10 percent; which has a yield not in excess of 100 percent; and which contains no extender.

"Type 2 loaf" means a loaf which has at least 80 percent pork as the major ingredient and any combination of one or more of beef, veal, pork cheek meat, pork head meat and mutton as minor ingredients; which has a fat content not in excess of 15 percent; which contains no more than 5 percent of added moisture or water; and which contains no more than 15 percent of extender.

"Type 3 loaf" means a loaf which is made of any combination of pork, beef, veal, pork cheek meat, pork head meat; and mutton; which has a fat content not in excess of 30 percent; which contains no more than 20 percent of added moisture or water; and which contains no more than 15 percent of extender.

"Type 4 loaf" means a loaf which is made of any combination of meat and meat by-products, including those derived from goats; which contains no more than 15 percent of extender; and which contains no more than 20 percent of added moisture or water.

17. Section 13 (g) is added to read as follows:

(g) *Liver products.* "Braunschweiler" means a sausage which is made of at least 30 percent livers; which may include any combination of one or more of pork, beef, veal, pork fat or beef fat; which is stuffed in hog bungs measuring one and 14/16 inches or more in diameter at a point 20 inches from the crown, or in sewed hog bungs, or in hog middles not over 12-inches long, or in artificial casings; which is smoked and cooked; which has a fat content not in excess of 40 percent; which has a yield not in excess of 102 percent in hog casings and not in excess of 95 percent in artificial casings; and which contains no extender.

"Smoked liver sausage" means a sausage which is made of at least 30 percent livers; which may include any combination of meat and meat by-products; which is stuffed in hog bungs measuring not less than one and 1/4 inches in diameter at a point 20 inches from the

crown, or in sewed hog bungs, or in artificial casings; which is smoked and cooked; which has a yield not in excess of 100 percent in hog bungs and not in excess of 93 percent in artificial casings; and which contains no more than 3 1/2 percent of extender.

"Fresh liver sausage" means a sausage which is made of at least 30 percent livers; which may include any combination of meat and meat by-products; which is stuffed in hog bungs, beef casings or artificial casings; which is cooked; which has a yield not in excess of 102 percent in hog bungs or 95 percent in beef casings or artificial casings; and which contains no more than 3 1/2 percent of extender.

"Liver cheese" means a loaf which is made of at least 30 percent livers; which may include any combination of one or more of pork, beef, veal, pork fat or beef fat; which has a fat content not in excess of 40 percent; which has a yield not in excess of 88 percent; and which contains no extender.

"Liver loaf" means a loaf which is made of at least 30 percent livers; which may include any combination of meat and meat by-products; which has a yield not in excess of 95 percent; and which contains no more than 3 1/2 percent of extender.

"Liver pudding" means a product which is made of at least 30 percent livers; which may include any combination of meats and meat by-products; which is cooked; which is stuffed in beef casings or artificial casings; or packed in sealed printed cardboard cartons, or sealed printed wrappers made from cellophane, parchment or other moisture resistant paper, with such cartons or wrappers having the liver pudding manufacturer's brand name or trademark printed thereon; which has a yield not in excess of 100 percent; and which contains no more than 15 percent of extender.

18. Section 13 (h) is added to read as follows:

(h) *Miscellaneous sausage items.* "Lebanon bologna" means an all beef sausage containing no meat other than beef and beef fat; which is stuffed in beef casings or artificial casings; which is smoked not less than 144 hours; which has a fat content not in excess of 12 percent; which has a yield not in excess of 88 percent; which contains no extender; and which has been made under Federal inspection.

"New England" means a sausage which is made of at least 85 percent pork as the major ingredient and one of the following as the minor ingredient: beef, pork cheek meat or pork head meat; which is stuffed in beef casings or artificial casings; which is smoked and cooked; which has a fat content not in excess of 10 percent; which has a yield not in excess of 98 percent; and which contains no extender.

"Minced luncheon" means a sausage which contains pork as the major ingredient and a combination of one or

more of beef, veal, pork head meat, pork cheek meat and mutton as minor ingredients; which is stuffed in beef casings or artificial casings; which is smoked and cooked; which has a fat content not in excess of 35 percent; which contains no more than 3 percent of added moisture or water; and which contains no extender.

"Berliner" or "Berlin" means a sausage which is made of one or more of pork, beef, veal, pork cheek meat, pork head meat and mutton in any combination, or of any three of these meats as major ingredients and one of hearts, beef head meat or beef cheek meat as a minor ingredient; which is stuffed in beef casings or artificial casings; which has a fat content not in excess of 25 percent; which contains no more than 5 percent of added moisture or water; and which contains no more than 3½ percent of extender.

"Polish" means a sausage which is made primarily from lean skeletal meat, including pork cheek meat and pork head meat, and which is stuffed in hog casings, or artificial casings of a similar size which are removed before sale.

"Type 1 Polish" means a sausage which is made of at least 80 percent pork as the major ingredient and one of beef, veal, pork cheek meat or pork head meat as a minor ingredient; which is smoked and cooked; which has a fat content not in excess of 25 percent; which has a yield not in excess of 95 percent; and which contains no extender.

"Type 2 Polish" means a sausage which has skeletal pork as the major ingredient; which may include any combination of one or more of beef, veal and mutton as minor ingredients; which is smoked and cooked; which has a fat content not in excess of 30 percent; which has a yield not in excess of 95 percent; and which contains no extender.

"Type 3 Polish" means a sausage which is made of any two or more of beef, veal, mutton, pork, pork cheek meat and pork head meat as major ingredients, with any combination of meats and meat by-products as minor ingredients; or any one of the listed items as the major ingredient, with no more than four other meats and meat by-products as minor ingredients; which is smoked and cooked; which has a fat content not in excess of 35 percent; which contains no added moisture or water; and which contains no more than 3½ percent of extender.

This amendment shall become effective December 14, 1943, except that section 4 (b) (4) (i) shall become effective as of November 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19553; Filed, December 7, 1943; 12:08 p. m.]

# PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 169; Amdt. 35]

## BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith

and filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Items (i), (ii) and (iii) below the designation "Steer or Heifer" of the table contained in § 1364.452 (d) (2) are amended to read as follows:

	Grade					
	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter, canner or D	Bologna bulls (equivalent cutter and canner grade)
Steer or heifer:						
(i) Beef carcass or side.....	\$20.00	\$19.00	\$17.00	\$15.00	\$12.25	\$13.00
(ii) Hindquarter.....	22.25	21.00	18.25	15.75	12.25	13.00
(iii) Forequarter.....	18.00	17.25	16.00	14.50	12.25	13.00

2. Item (i) below the designation "Steer or Heifer" of the table contained in § 1364.452 (d) (3) is amended to read as follows:

	Grade					
	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter, canner or D	Bologna bulls (equivalent cutter and canner grade)
Steer or heifer:						
(i) Forequarter.....	\$18.75	\$18.00	\$16.75	\$15.25	\$13.00	\$13.75

3. The heading of the table contained in § 1364.452 (1) (2) is amended to read as follows:

Zone prices per cwt. frozen and boned<sup>1</sup>

4. The table contained in § 1364.452 (1) (2) is amended by the addition of a footnote 1 below the table to read as follows:

<sup>1</sup> If packed in a V-1, full telescope, weather-proof fibre board box, with a minimum of .100 caliper inches and a minimum dry bursting strength of 750# per square inch, \$0.25 additional boxing charge may be made.

This amendment shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19552; Filed, December 7, 1943; 12:08 p. m.]

## PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 499]

### CERTAIN IMPORTED SWISS WATCHES

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate

<sup>1</sup> 8 F.R. 4097, 4787, 4844, 5170, 5478, 5634, 6058, 6427, 7109, 6945, 7199, 7200, 8011, 8677, 8756, 9066, 9300, 9995, 10364, 10671, 11298, 11445, 12748, 13249, 13181, 14009.

the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Numbers 9250 and 9328. In so far as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or in so far as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

§ 1373.2 *Maximum prices for certain imported Swiss watches.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Numbers 9250 and 9328, Maximum Price Regulation No. 499 (Certain Imported Swiss Watches) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1373.2 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

### MAXIMUM PRICE REGULATION NO. 499—CERTAIN IMPORTED SWISS WATCHES

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\*Copies may be obtained from the Office of Price Administration.

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**SECTION 1. Scope of this regulation.** This regulation fixes ceiling prices for all sales and deliveries in the continental United States and the Territory of Hawaii of all watches containing imported movements and of the types generally known to the trade as pin-lever, cylinder, and Roskopf. It supersedes the Maximum Import Price Regulation<sup>1</sup> as to sales and deliveries of imported

Swiss watches for which ceiling prices are established by this regulation. This regulation applies to sales by importers, jobbers, and retailers. This regulation applies only to new watches; it does not apply to used or second-hand watches.

**SEC. 2. Prohibitions.** (a) After this regulation becomes effective, regardless of any contract or other obligations, no person is permitted to sell, deliver, or buy from a seller within the United States any pin-lever, cylinder, or Roskopf watch in the course of trade or business at a price higher than the ceiling price fixed by this regulation, and no person shall offer, solicit, attempt, or agree to do any of the foregoing.

(b) Prices lower than the ceiling prices may be charged, demanded, paid or offered.

**SEC. 3. Schedule of ceiling prices.** (a) The ceiling prices for pin-lever, cylinder, and Roskopf watches are as follows:

Description of watches	Importers' prices to jobbers		Importers' prices to retailers		Jobbers' prices to retailers		Retail ceiling prices	
	\$ $\frac{3}{4}$ ligne and over	Under \$ $\frac{3}{4}$ ligne	\$ $\frac{3}{4}$ ligne and over	Under \$ $\frac{3}{4}$ ligne	\$ $\frac{3}{4}$ ligne and over	Under \$ $\frac{3}{4}$ ligne	\$ $\frac{3}{4}$ ligne and over	Under \$ $\frac{3}{4}$ ligne
1. Pin-lever, cylinder and Roskopf watches with 3 jewels or less, in either non-waterproof or waterproof cases	\$3.93	\$4.63	\$4.23	\$5.09	\$4.57	\$5.23	\$5.50	\$9.00
2. Roskopf and cylinder watches with 4 or more jewels in non-waterproof cases	5.32	6.01	5.75	6.50	6.18	6.93	11.50	13.00
3. Pin-lever watches with 4 or more jewels in non-waterproof cases	6.24	6.94	6.75	7.50	7.23	8.03	13.50	15.00
4. Roskopf and cylinder watches with 4 or more jewels in waterproof cases	6.94	7.63	7.20	8.25	8.03	8.87	15.00	16.50
5. Pin-lever watches with 4 or more jewels in waterproof cases	7.56	8.56	8.00	9.25	9.14	9.94	17.00	18.50

The prices set forth in the above table are for sales of watches in all types of cases except gold cases. For the purpose of this regulation, a gold case is (1) An imported case on which the duty applicable to gold cases has been paid as required by the Bureau of Customs of the Department of the Treasury or (2) any domestic gold case. For watches in gold cases, the following sums may be added to the ceiling prices set forth in the above table:

For sales by importers to jobbers, add	\$0.925
For sales by importers to retailers, add	1.00
For sales by jobbers, add	1.075
For sales at retail, add	2.00

(b) The prices listed above in paragraph (a) are for sales of complete watches including the attaching strap or bracelet in the case of wrist watches, and the fob or pin in the case of fob or lapel watches.

No charge in addition to the ceiling prices listed may be made on account of any box in which the watch may be contained.

The ceiling prices listed include import duties, but they do not include federal excise taxes. As to any tax upon the sale or delivery of such a watch imposed by any statute of the United States or statute or ordinance of any

state or subdivision thereof, if the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the ceiling price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

The ceiling prices listed in paragraph (a) are f. o. b. the seller's point of shipment in the continental United States.

(c) The prices listed under "Importers prices to jobbers" are the ceiling prices for all sales by importers to persons who resell the watches to purchasers other than the ultimate consumer.

The prices listed under "Jobbers prices to retailers" are the ceiling prices for all sales by all persons other than the importer to persons purchasing for resale, including sales by jobbers to other jobbers and by retailers to jobbers or other retailers.

The prices listed under "retail ceiling prices" are the ceiling prices exclusive of tax for all sales to consumers.

**SEC. 4. Retail price tags.** On and after December 27, 1943, no importer or wholesaler shall deliver any pin-lever, cylinder, or Roskopf watch unless the retail price tag described below is at-

tached to it, and on and after January 10, 1944, no retailer shall offer for sale, sell, or deliver such a watch unless such a price tag is attached to it. If you are a retailer and do not know the ceiling price for any untagged watch, you should apply to the nearest OPA District Office to ascertain the ceiling price so that you may place a tag on each watch.

The tag must be durable and must be securely attached to each watch. It must contain in easily readable lettering, a statement of the type of movement (i. e. whether a pin-lever, cylinder, or Roskopf), the number of jewels, the size of the movement expressed in lignes and the retail ceiling price, exclusive of tax. The ceiling price for watches in "waterproof" or "gold" cases may not be charged unless the tag indicates that the case is either "waterproof" or "gold." The type of movement may be stated by using the symbols, "PL" for pin-lever, "C" for cylinder, and "R" for Roskopf. The words "jewel" and "ligne" may be abbreviated to "J" and "L." The word "waterproof" may be abbreviated to "W" and "gold" to "G." The tag may not be removed until the watch has been sold to the retail purchaser.

A tag in the following form will be sufficient:

4J 10 $\frac{1}{2}$ L. PL. W  
Retail ceiling excl. tax—\$17.00

**SEC. 5. Notification.** (a) If you are an importer or jobber who has sold pin-lever, cylinder, or Roskopf watches within six months prior to the effective date of this regulation, you must by January 3, 1944, notify in writing all persons to whom you have sold such watches for resale, of the lot numbers, the description, as set forth in section 4, of the watches, and the applicable retail ceiling prices. You must also notify the purchaser that he is required by the regulation to attach to the watch a tag containing the information required by section 4 of this regulation. The purpose of this notification requirement is to enable retailers and jobbers to properly tag their inventories of watches. The notice may be given in any convenient form and should be accompanied by a copy of sections 3 and 4 of this regulation or of the regulation itself.

(b) On and after December 15, 1943, if you are selling pin-lever, cylinder, or Roskopf watches to purchasers buying for resale, you must notify in writing every such purchaser at the time of the first shipment to him of the ceiling prices set by this regulation. You must also notify the purchaser that the tag which is attached to each watch may not be removed until the watch has been delivered to the retail purchaser.

**SEC. 6. Credit charges.** Credit charges for the extension of credit may be added to the retail ceiling prices established by this regulation only to the extent permitted by this section.

(a) Sellers who in March 1942 collected a separately stated additional charge for the extension of credit on sales of watches or similar types of articles, may collect a charge for the exten-

<sup>1</sup> 8 F.R. 11581, 12237.

sion of credit on sales under this regulation, not exceeding such charge in March 1942 on a similar sale on similar terms to the same class of purchaser. Sellers who did not so state and collect an additional charge, may collect a charge for the extension of credit only on installment-plan sales; and the charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser in March 1942 by the seller's closest competitor who made such a separately stated charge.

An installment-plan sale as used in the above paragraph means a sale where the unpaid balance is to be paid in installments over a period of either (1) six weeks or more from the date of sale in the case of weekly installments, or (2) eight weeks or more in the case of other than weekly installments.

(b) All charges for the extension of credit shall be quoted and stated separately. Any charge which is not quoted and stated separately or which otherwise does not conform to this section, shall, for the purposes of this regulation, be considered to be part of the price charged for the article sold.

(c) No seller may require as a condition of sale that the purchaser must buy on credit.

**Sec. 7. Sales slips, invoices, and receipts—(a) Retailers.** If you are a retailer, and you have customarily given a customer a sales slip, receipt, or similar evidence of purchase, you shall continue to do so. Upon request of the buyer, regardless of previous custom, you shall give a receipt showing the date, your name and address, a description of the watch including a statement of the type of movement (i. e., whether pin-lever, cylinder, or Roskopf), the number of jewels, an indication whether the case is sold as a "waterproof case" or "gold case," the price paid, and the name and address of the purchaser.

(b) **Importers and wholesalers.** If you are an importer or wholesaler selling to purchasers for resale, you must furnish every such purchaser with an invoice on every sale that you make, regardless of your previous practice. This invoice must show the date; your name and address, a description of each type of watch including a statement of the type of movement (i. e., whether pin-lever, cylinder or Roskopf), the number of jewels in the movement, the size of the movement, the type of case, the number of each type of watch, the unit price, and the name and address of the purchaser. Such invoices shall be kept by every person who buys pin-lever, cylinder or Roskopf watches for resale, and the carbon copy shall be kept by every seller, for inspection by the Office of Price Administration.

**Sec. 8. Relation between this regulation and the General Maximum Price Regulation.** (a) The provisions of the General Maximum Price Regulation<sup>2</sup> do not apply with regards to sales and deliveries after December 14, 1943, for

which ceiling prices are established by this regulation, except as provided in paragraph (b) of this section. The issuance of Maximum Price Regulation No. 499 does not relieve you from any liability or penalty for violations on sales or deliveries made by you prior to its issuance.

(b) The registration provision of § 1499.15 of the General Maximum Price Regulation shall apply to every person selling at wholesale or retail any watch covered by this regulation. When used in this section, the term "selling at retail" has the definition given to it by § 1499.20, paragraph (c) of the General Maximum Price Regulation.

**Sec. 9. Current records.** If you are selling pin-lever, cylinder, or Roskopf watches at retail, you must keep and make available for examination by the Office of Price Administration, records of the same kind which you have customarily kept relating to the prices you charge for the watches which you sell after the effective date of this regulation.

**Sec. 10. Licensing.** The provisions of Licensing Order No. 1<sup>3</sup> licensing all persons who make sales under price control are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

**Sec. 11. Exports.** The ceiling price at which a person may export any pin-lever, cylinder, or Roskopf watch shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.<sup>4</sup>

**Sec. 12. Evasion.** You must not evade any of the provisions of this regulation by any scheme or device, or by any practice which has the effect of getting a higher-than-ceiling price including devices making use of commissions, transportation arrangements, tying agreements, trade understandings, and similar practices. Specifically but not exclusively, you may not charge the ceiling price for a waterproof watch unless the watch is enclosed in a case which is generally accepted in the trade as a waterproof one.

**Sec. 13. Petitions for amendment.** Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

**Sec. 14. Enforcement.** (a) Persons violating any provisions of this regulation are subject to criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

**Sec. 15. Geographical applicability.** The provisions of this regulation shall be applicable to the forty-eight States, the District of Columbia and the Territory of Hawaii.

**Effective date.** This regulation shall become effective December 15, 1943, except that the regulation, as applies to sales by retailers of inventory in their possession on December 15, 1943, shall not become effective until January 10, 1944.

**NOTE:** The record-keeping and reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19561; Filed, December 7, 1943; 12:11 p. m.]

## PART 1381—SOFTWARE LUMBER

[RMPP 161, Amdt. 8]

### WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 161 is amended in the following respects:

1. Section 1381.152 is amended by the addition of the words "Western White Pine (Pinus monticola)" immediately prior to the words "and Western Red Cedar (Thuja plicata)".

2. Section 1381.154 is amended by the addition of a new Table J as follows:

TABLE J—WESTERN WHITE PINE

	Puget Sound District	Willapa Bay Grays Harbor District	Columbia River District	Southern Oregon Tillamook District
No. 1.....	\$34.00	\$34.00	\$34.00	\$32.00
No. 2.....	25.00	25.00	25.00	23.00
No. 3.....	19.00	19.00	19.00	17.00
Camp-run...	19.00	19.00	19.00	17.00

3. Appendix A is amended by the addition of the following paragraphs immediately following the section entitled "Cedar Logs".

### WESTERN WHITE PINE

**No. 1 Grade.** Logs shall be 24 inches or over in diameter and 16 feet or over in length. They shall be reasonably straight grained and of a character which in the judgment of the scaler are capable of producing not less than 25 percent of the net scaled contents of C Clear and Better Lumber.

**No. 2 Grade.** Logs shall be not less than 12 feet in length and not less than 15" in diameter, below the grade of No. 1 log but which will be suitable in grade for the manufacture of lumber principally in the grades of No. 2 Common lumber.

**No. 3 Grade.** This grade shall consist of logs below the grade of No. 2 and shall be not less than 12 feet long and not less than 6 inches in diameter which will be suitable in grade for the manufacture of the inferior grades of lumber.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 1117, 2992, 5678, 6619, 9381, 10660, 11509.

<sup>2</sup> 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025.

<sup>3</sup> 8 F.R. 13240.

<sup>4</sup> 8 F.R. 4132, 5987, 7662.

This amendment shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19554; Filed, December 7, 1943;  
12:09 p. m.]

#### PART 1381—SOFTWOOD LUMBER

[RMFR 161, Amdt. 9]

##### WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Appendix A, paragraph (a) is amended by the inclusion of the following sentence at the conclusion of the second paragraph of the "Shingle Grade" definition listed under the heading "Cedar Logs".

Small Cedar logs under 16" in diameter, when sorted separately, may be scaled on the basis of Common Cedar lumber production.

This amendment shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19555; Filed, December 7, 1943;  
12:10 p. m.]

#### PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 471, Amdt. 2]

##### LEGUME AND GRASS SEEDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1.3 is amended to read as follows:

SEC. 1.3 *Applicability.* This regulation shall apply to all sales, whether for immediate or future delivery, within the 48 states and the District of Columbia of the United States of the following domestic and Canadian legume and grass seeds, viz: alfalfa seeds, medium red and mammoth red clover seeds, alsike clover seeds, sweet clover seeds, timothy seeds and mixtures of said seeds.

This amendment shall become effective December 13, 1943.

\*Copies may be obtained from the Office of Price Administration.

18 F.R. 1117, 2992, 5678, 6619, 9381, 10660, 11509.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19557; Filed, December 7, 1943;  
12:08 p. m.]

#### PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 3-6, Amdt. 2]

##### FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN DESIGNATED COUNTIES OF MICHIGAN

A statement of the considerations involved in the issuance of this Amendment No. 2 to Restaurant Maximum Price Regulation No. 3-6 has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Restaurant Maximum Price Regulation No. 3-6 is amended in the following respects:

1. Section 6 (b) (2) is amended to read as follows:

(2) You may limit your customer to one pat of butter per meal; and when required by the restrictions of the rationing program, you may vary the size of such pats of butter. In such case, however, you shall adjust the price of such servings of butter in direct proportion to the change in size of serving whenever a separate charge is made for the butter, or whenever a separate charge is made for a combination of butter and a bread item, such as slices of bread, sweet rolls, biscuits, etc. The resulting figure, if it contains a fraction of a cent, shall be adjusted to the next lower cent if the fraction is less than one-half, and to the next higher cent if the fraction is one-half or greater.

2. Section 12 is amended to read as follows:

SEC. 12. *Relation to other maximum price regulations.* The provisions of this regulation shall supersede other regulations, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, insofar as they establish maximum prices for meals and food items (including beverages) sold by eating and drinking places. However, a price charged during the base period of this regulation shall not become a maximum price under this regulation, if it exceeded the maximum price established by another regulation applicable at that time. In such case, the lawful price applicable at that time shall be the maximum price hereunder.

3. Section 16 is amended by the addition of the following exemptions:

(d) Bona fide private clubs which file with the District Director of the Detroit District Office of the Office of Price Ad-

ministration a statement setting forth that:

(1) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue.

(2) It sells food items and meals only to members and bona fide guests of members;

(3) Its members pay dues of more than merely nominal amounts (the amount of dues paid by each class of members and the period covered by such dues should be indicated), and are elected to membership by a governing board, membership committee or other body;

(4) It is otherwise operated as a club and not primarily as an eating or drinking establishment.

Fifteen days after filing such information, or earlier if so notified by the District Director, a private club may consider itself exempt unless and until it is otherwise notified by the District Director. Any club which, subsequent to such filing, changes its operations with respect to any of the requirements stated above, shall immediately notify the District Director of the Detroit District Office accordingly. Any club which sells food items or meals to persons other than members and bona fide guests of members is subject to the maximum price provisions and all other provisions of this regulation with respect to all sales.

(e) Eating and drinking places operated by any school, college or university which is a non-profit institution (that is, where no part of the net earnings inures to the benefit of any private shareholder or individual), which sells food items or meals on a non-profit or cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to students, faculty members and employees of such institution.

This amendment shall become effective November 10, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued November 10, 1943.

BIRETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 43-19562; Filed, December 7, 1943;  
12:10 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to, GMFR, Amdt. 37]

##### INDUSTRIAL PAINT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 2.5, paragraph (e), is amended to read as follows:

(e) Sales or deliveries by a manufacturer of a chemical or an industrial paint which that manufacturer did not sell during March 1942 or prior thereto, until



the total sales of that chemical or industrial paint exceed \$1,000.

"Industrial paint" means a protective coating sold for application to industrial equipment, military equipment, and articles manufactured primarily for resale. The term "industrial paint" does not include protective coatings commonly known as "trade sales" or "shelf goods" paints.

This amendment shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19558; Filed, December 7, 1943;  
12:10 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14, to GMPR, Amdt. 61]

##### RATES FOR TRANSPORTATION OF PROPERTY

The statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 7.11 of Revised Supplementary Regulation No. 14 is amended to read as follows:

SEC. 7.11 *Adjustment of maximum rates for the transportation of property by carriers performing pick-up and delivery or local transfer service for rail, motor, and water line haul carriers*—(a) *Maximum rates.* The maximum rates for the transportation of property by carriers, other than common carriers, performing pick-up and delivery or local transfer service for rail, motor, and water line haul carriers shall be either (1) the maximum rate established for such service by § 1499.2 of the General Maximum Price Regulation, or (2) a rate agreed upon between the seller and purchaser of the service and approved by the Office of Price Administration pursuant to an application filed in the manner hereinafter stated and containing a certification by the seller of the service that the following facts exist:

(i) The actual cost of materials and labor used in supplying the service exceeds the cost on the "applicable base date" as defined in this section, by an amount so large that the continued supply of the service is threatened; and

(ii) The requested increase in the rate will not produce additional revenue in excess of the amount by which the cost of the material and labor used in supplying the service exceeds such cost on the "applicable base date" as defined in this section;

and by the purchaser of the service as follows:

(iii) "It cannot procure satisfactory performance of the service from applicant or any other pick-up and delivery

carrier at rates lower than the rates requested; and a discontinuance of such service will result in increased transportation cost to shippers and consignees; and

(iv) "It agrees to pay and absorb the increase in the pick-up and delivery or local transfer rates requested in the application and will not increase its own charges on account of such increase in the pick-up and delivery or local transfer rates. (This statement is made without prejudice to the line-haul carrier's right to present for consideration by any regulatory authority, the increased cost resulting from the new pick-up and delivery or local transfer rates, together with any other cost increases, in any future application for a general rate increase based on revenue needs.)"

(b) *Substitution of certification.* Line-haul carriers may substitute for the representations and undertakings to which they subscribed by executing Item No. 7 of OPA Form 383:8 as set out in Amendment No. 175 to Supplementary Regulation No. 14, the representations and undertakings contained in subparagraphs (a) (iii) and (a) (iv) of this section 7.11 of Revised Supplementary Regulation No. 14 by executing a certification in conformity with said subparagraphs and filing it together with a statement setting forth the name of the applicant and the docket number assigned to the application with respect to which the certification is given, with the Transportation and Public Utilities Division of the Office of Price Administration, Washington, D. C.

(c) *Filing of application.* The application required in paragraph (a) (2) above shall be set forth on Form OPA-383:8, as revised from time to time, and filed by either the seller or the purchaser of the service with the Office of Price Administration, Transportation and Public Utilities Division, Washington, D. C., at least 30 days before the date on which the new rates are proposed to be made effective.

(d) *Approval, adjustment, or modification of rates.* The requested increase in maximum rates for pick-up and delivery service set forth in an application filed with the Office of Price Administration pursuant to this section shall be deemed approved by the Office of Price Administration, subject to subsequent adjustment or modification thereof, if a notice of disapproval of such rates or a request for additional information is not mailed by the Office of Price Administration to the seller and purchaser of the service within 30 days after the filing of such application.

(e) *Definitions.* (1) "Pick-up service" means the transportation of property to a terminal of a line haul carrier from the point of origin from which the line haul rate applies.

(2) "Delivery service" means the transportation of property from a terminal of a line haul carrier to the point of destination to which the line haul rate applies.

(3) "Local transfer service" means the local transfer of property from one terminal of a line haul carrier to another

terminal of such line haul carrier or to that of a connecting line haul carrier.

(4) "Pick-up and delivery carrier" means a carrier who performs pick-up and delivery or local transfer service for a line haul carrier.

(5) "Applicable base date" refers to services performed during March 1942 and means October 1, 1941, or the date prior to March 31, 1942 upon which the present maximum rate became effective, whichever is closer to March 31, 1942; except that if the present maximum rate became effective after March 31, 1942 pursuant to approval of the Office of Price Administration, the date upon which such approved rate became effective is the "applicable base date".

NOTE: The reporting provision of this amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19563; Filed, December 7, 1943;  
12:11 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[SR 14A<sup>1</sup> to GMPR, Amdt. 8]

##### MILK AND MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Supplementary Regulation No. 14A to the General Maximum Price Regulation is amended in the following respects:

1. Subdivisions (iii) (iv) (v) (vi) (vii) (viii) (ix) and (x) of § 1499.73a (a) (1) are redesignated (iv) (v) (vi) (vii) (viii) (ix) (x) and (xi) respectively.

2. A new § 1499.73a (a) (1) (iii) is added to read as follows:

(iii) *Sales to Army or Navy—(a) Pricing.* Except as otherwise provided in § 1499.73a (a) (1) (vii) (a) (5), relating to sales and deliveries in the Dallas Regional Area, and § 1499.73a (a) (1) (viii) (a) (8) (i) (E) and § 1499.73a (a) (1) (viii) (b), relating to sales and deliveries in the Atlanta Regional Area, the maximum price for sales and deliveries to the Army and Navy shall be the seller's lowest maximum price for fluid milk sold at wholesale to any class of purchasers (exclusive of sales to the Army or Navy) as determined under an applicable regulation or order of the Office of Price Administration for the particular size and type of container, plus (1) a premium of one-half (½) cent per quart, or a proportionate amount for a part of a quart, or (2) at the election of the seller, the actual transportation costs from the seller's plant to the point of delivery of

\* Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 9835, 9885, 10514, 12703, 13060, 13724, 15259.

not more than the lowest common carrier rates.

(b) *Existing contracts.* Notwithstanding the provisions of inferior subdivision (a) above, any seller who prior to December 7, 1943, entered into a contract to make deliveries to the Army or Navy at prices established under an applicable regulation or order of the Office of Price Administration, may until the expiration date of such contract or June 7, 1944, whichever date is the earlier, deliver and accept payment in accordance with the terms of such contract.

(c) *Adjustments.* (1) The Regional Office of the Office of Price Administration for the region in which the fluid milk is delivered may by order adjust a maximum price to the Army or Navy established under § 1499.73a (a) (1) (iii) (a) above, and under § 1499.73a (a) (1) (vii) (a) (5), relating to sales and deliveries in the Dallas Regional Area, and § 1499.73a (a) (1) (viii) (a) (8) (i) (E) and § 1499.73a (a) (1) (viii) (b), relating to sales and deliveries in the Atlanta Regional Area, when it appears:

(i) That there exists or threatens to exist in a particular locality a shortage in the supply of fluid milk for the Army and Navy,

(ii) That such shortage is caused by the inadequacy of the supply obtained from customary sources, so that the seller is obliged to obtain fluid milk for the Army or Navy from exceptionally distant sources, thus incurring additional and unusual transportation charges from source to the seller's plant,

(iii) That such shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller,

(iv) That such adjustment will no more than compensate the seller for such additional and unusual transportation expense, and

(v) That such adjustment will not create or tend to create a shortage or a need for an increase in maximum prices to the Army or Navy in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(2) No adjustment granted under this inferior subdivision (c) shall be used as a basis for granting an increase in the maximum retail price of fluid milk for civilian uses.

(d) *Definitions.* For purposes of this subdivision (iii):

(1) "Sales to the Army or Navy" means sales to the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(2) "Sold at wholesale", with respect to sales in bottles or paper containers, refers to sales covered by such term as defined in § 1499.20 (p) of the General Maximum Price Regulation and sales to institutions; with respect to sales other than in glass or paper containers "Sold

at wholesale" refers to sales to stores, hotels, restaurants and institutions.

This amendment shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19564; Filed, December 7, 1943; 12:12 p. m.]

#### PART 1404—RATIONING OF FOOTWEAR

[RO 17, Incl. Amdt. 46]

##### SHOES

##### Correction

In F.R. Doc. 43-18602, appearing at page 15839 of the issue for Tuesday, November 23, 1943, the first heading above the table of contents in the third column of the document should read "Ration Order 17, Including Amendment 46—Shoes."

#### PART 1378—COMMODITIES OF MILITARY SPECIFICATIONS FOR WAR PROCUREMENT AGENCIES

[LPR 157, Amdt. 10]

##### SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES FOR MILITARY PURPOSES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 157 is amended in the following respects:

Paragraph (a) (3) of § 1378.2 is amended to read as follows:

(3) No person shall offer, solicit, or attempt to do any of the foregoing. However, in the period from November 1, 1943 to and including June 30, 1944, any person may agree to sell articles of staple work clothing to the Department of Navy at a price not in excess of the maximum price established by this regulation, subject to an agreement with the Department of Navy to charge a higher price if it is not in excess of the maximum price at the time of delivery.

This amendment shall become effective December 7, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19568; Filed, December 7, 1943; 4:30 p. m.]

\*Copies may be obtained from the Office of Price Administration.

17 F.R. 4273, 4541, 4618, 5189, 5716, 6994, 6224; 8 F.R. 3948, 7507.

#### PART 1404—RATIONING OF FOOTWEAR

[RO 17, Amdt. 47]

##### SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 17 is amended in the following respects:

1. A new section 1.17 is added, to read as follows:

SEC. 1.17 *Gifts of shoes by consumers.* (a) An individual who has acquired shoes as a consumer, either with a war ration shoe stamp or as an import from outside the continental United States, may give the shoes to another consumer, ration-free, if no consideration is received.

2. Section 3.4 (b) (3) is added, to read as follows:

(3) Were not made in the continental United States, are not imported for sale, and not more than two pairs of shoes are released to the same person in one transaction,

This amendment shall become effective December 8, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Dir. 1, F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19622; Filed, December 8, 1943; 11:53 a. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3, Amdt. 106]

##### SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Rationing Order No. 3 is amended in the following respect:

Section 1407.61 is amended to read as follows:

§ 1407.61 *Prohibited deliveries.* After April 27, 1942, no person may deliver sugar to any consumer and no consumer may accept delivery of sugar from any person except upon giving up stamps, certificates or coupons covering the amount of sugar delivered. However, a consumer who has obtained sugar by the use of his stamps, may give it to another consumer, without receiving stamps, certificates or coupons. He may similarly give such sugar to a religious, charitable, civic, or municipal organization as his agent, to give such sugar to

\*8 F.R. 1749, 2040, 2418, 2943, 3315, 3371, 3351, 4123, 3948, 4716, 5533, 5578, 5679, 5357, 5759, 6046, 6337, 7193, 7261, 8069, 8034, 8257, 8501, 9062, 9422, 9567, 9324, 10263, 11445, 11515, 12026, 12137, 12180, 12547.

\*8 F.R. 14820, 15363, 15483.

another consumer without receiving stamps, coupons or certificates. (A transaction is not a gift if any charge is made.)

This amendment shall become effective December 8, 1943.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 8th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19618; Filed, December 8, 1943;  
11:52 a. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13, Amdt. 94]

##### PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Section 2.3 (c) is added to read as follows:

(c) A consumer who has acquired processed foods for points may give them to another consumer point-free. He may also give them point-free to a religious, charitable, civic, or municipal organization, as his agent, to give them point-free to another consumer. (A transaction is not a gift if any charge is made.)

This amendment shall become effective December 8, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Dir. 3, 8 F.R. 2005, and Food Dir. 5, 8 F.R. 2251)

Issued this 8th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19619; Filed, December 8, 1943;  
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#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13, Amdt. 95]

##### PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup>8 F.R. 11048, 11383, 11483, 11513, 11753, 11812, 12026, 12297, 12312, 12446, 12485, 12548, 12560, 13301, 13492, 13980, 14346, 14472, 14473, 14476, 14477.

has been filed with the Division of the Federal Register.\*

Section 10.19 is added to read as follows:

SEC. 10.19 *Point-free transfer of jams, jellies, fruit butters, marmalades and preserves in Christmas gift packages.* (a) Prior to January 9, 1944, jams, jellies, fruit butters, marmalades and preserves contained in a package made up before October 23, 1943, for sale or transfer for use as a gift during the 1943 Christmas season, may be transferred to and acquired by any person point-free. Each package must have on it a statement that it was made up before October 23, 1943. In addition, all transfers of such foods by persons other than consumers must be made in accordance with the provisions of paragraph (b) of this section.

(b) A person other than a consumer may transfer jams, jellies, fruit butters, marmalades and preserves contained in packages of the kind described in paragraph (a), if the total point value of the jams, jellies, fruit butters, marmalades and preserves contained in all such packages held by him for sale or transfer is less than 400 points. Such a person must keep a record, at his principal business office, of the number of such packages which he holds for sale or transfer, and the total point value of the jams, jellies, fruit butters, marmalades and preserves contained in all such packages. A person other than a consumer who wishes to transfer jams, jellies, fruit butters, marmalades and preserves contained in packages of the kind described in paragraph (a) must, if the total point value of the jams, jellies, fruit butters, marmalades and preserves contained in all such packages is 400 points or more, apply in writing to the district office for the place where his principal business office is located for permission to do so. His application must state:

(1) The name and address of his establishment;

(2) The number of packages of the kind described in paragraph (a) that he has;

(3) The total point value of the jams, jellies, fruit butters, marmalades and preserves contained in all such packages; and

(4) That the packages covered by this statement were made up before October 23, 1943, for sale or transfer for use as a gift during the 1943 Christmas season.

If the applicant did not have the packages before October 23, 1943, and is not the person who made up the packages, he may, instead of making the statement called for in (4) above, attach to his statement a statement in writing from the person from whom he acquired the packages, that they were made up before October 23, 1943, for sale or transfer for

use as a gift during the 1943 Christmas season. If the district office finds that the packages held by the applicant meet the requirements in paragraph (a), it shall authorize him to transfer the packages point-free.

This amendment shall become effective December 8, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 8th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19621; Filed, December 8, 1943;  
11:53 a. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amdt. 89]

##### MEATS, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Section 2.2 (c) is added to read as follows:

(c) A consumer who has acquired foods covered by this order for points may give them to another consumer point-free. He may also give such foods point-free to a religious, charitable, civic, or municipal organization, as his agent, to give them point-free to another consumer. (A transaction is not a gift if any charge is made.)

This amendment shall become effective December 8, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471).

Issued this 8th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19620; Filed, December 8, 1943;  
11:52 a. m.]

#### PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 346]

##### CORN

Revised Maximum Price Regulation 346 is redesignated Second Revised Max-

<sup>1</sup>8 F.R. 13128, 13394.

imum Price Regulation 346, and is revised and amended to read as follows:

The maximum prices established by this regulation are fair and equitable and will reflect to producers of corn the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and by Executive Order 9250 and have been approved and directed by the Director of Economic Stabilization pursuant to section 5 of the Executive Order 9328.

Such specifications and standards as are used in this regulation have previously been promulgated and their use lawfully required by another Government agency. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

In fixing the maximum prices established by this regulation, the Price Administrator has given adequate weighting to farm labor. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

§ 1439.352 *Maximum prices for sales of corn.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250 and Executive Order 9328, this Second Revised Maximum Price Regulation 346 (Corn) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1439.352 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECOND REVISED MAXIMUM PRICE REGULATION  
346—CORN

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\*Copies may be obtained from the Office of Price Administration.

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SECTION 1. *Applicability.* (a) Except as provided in paragraph (b) of this section, this regulation shall apply to all sales, whether for immediate or future delivery, within the 48 states and the District of Columbia of the United States of imported and domestic shelled, ear and snapped corn and mixed grain as defined herein.

(b) This revised regulation shall have no application to sales of immature corn to be used for canning nor to corn to be used as seed for planting, nor to pop corn, waxy maize, grain sorghums, ground corn, cracked corn, sweet corn or broom corn.

SEC. 2. *Prohibition against dealing in corn at prices above the maximum price.*

(a) Regardless of any contract or obligation, no person shall in the course of trade or business sell, deliver, buy or receive corn at prices above the maximum prices established by this revised regulation, nor shall any person agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That any contract made and entered into on or after January 13, 1943, and prior to the effective date hereof which complied with the maximum price regulation in effect at the date of its execution may be performed according to its terms.

(b) However, prices lower than the maximum prices established by this revised regulation may be charged and paid.

SEC. 3. *Definitions.* When used in this revised regulation the following terms shall have the following meanings:

"Bushel" means a unit of 56 pounds net weight except that for ear corn and snapped corn a bushel shall mean a unit of not less than 68 pounds net weight.

"Corn" means corn as defined in the Official Grain Standards of the United States and ear corn and snapped corn as herein defined; and certain mixed grains as set forth in paragraph (j) of the appendix.

"Yellow corn" means the class of corn defined in the Official Grain Standards of the United States containing not more than 5 percent of colors other than yellow.

"White corn" means a class of corn containing not more than 5 percent of colors other than white.

"Mixed corn" means a class of corn defined in the Official Grain Standards of the United States except such as is included under the definition of white corn.

"Ear corn" means corn on the cob from which the shuck has been removed.

"Snapped corn" means corn on the cob will all or part of the shuck attached.

"Waxy maize" means that type of corn which contains a starch in the kernels which is similar to tapioca starch and which stains reddish brown with iodine.

"Carload quantity" means a lot of corn of 60,000 pounds or more: *Provided*, That a lot of corn of 30,000 pounds or more shipped in a mixed car or pool car shall be considered a carload quantity.

"Less than carload quantity" means a lot of corn of less than 60,000 pounds other than mixed car or pool car lots above included in carload quantities. It includes truck quantities.

"Transportation cost" means the cost of transportation actually incurred after deducting any transportation subsidy received by the shipper, but it shall not exceed:

(a) Where shipment has been made by rail in carload quantities, the lowest carload rail rate for the shipment or billing applicable between the two points in question, including any applicable transportation tax.

(b) Where shipment is by barge or lake vessel, the lowest applicable water freight rate for the shipment between the two points in question, including any applicable transportation tax plus marine and out-turn insurance.

(c) In any other case where shipment is made by a common carrier, the lowest applicable common carrier rate between the two points in question, including any applicable transportation tax.

(d) If the conveyance employed is not a common carrier, 1½ cents per bushel for the first five miles and ¼ cent per bushel for each five miles or fraction thereof beyond the first five miles of the haul if shelled corn and 3 cents per bushel for the first five miles and ½ cent per bushel for each five miles or fraction thereof beyond the first five miles of the haul if ear corn or snapped corn, the distance to be determined by the shortest one-way route between the two points in question reasonably suitable for truck travel.

(e) Where the movement is by two or more of the foregoing methods of transportation, the sum of the minimum cost provided by the foregoing paragraphs (a), (b), (c) or (d) for the distance traveled by each method of transportation.

"Person" means an individual, corporation, partnership, association or other organized group of persons or legal successor or representatives of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions and any agency of any of the foregoing.

"Producer" means a person who grew or harvested the corn in question and also includes any landowner receiving a lot of corn in lieu of rent and any farmers who procured the corn from its producer. A producer shall be deemed to be acting in that capacity in selling corn to a country shipper or to any person at farm where grown or harvested and in making any other sale of corn except at a different level of marketing as provided in section 11 hereof.

"Country shipper" means a person regularly engaged in the receiving of corn from producers in truck or wagon load quantities which he places in storage facilities such as an elevator or warehouse or loads in a railroad car, barge or vessel at any point. A country shipper shall be deemed to be acting in that capacity in selling corn in carload quantities (1) through brokers or commission merchants, (2) in store at said facilities or loaded in a railroad car or barge or vessel where delivered to the purchaser prior to movement; and (3) in making any other such sales of corn except at a different level of marketing as provided in section 11 hereof.

"Ex-lake corn" is corn which has moved by lake vessel from a terminal city to any port on Lake Erie.

"Merchantiser" means a person other than one acting in the capacity of a producer or country shipper who sells corn owned by him in carload quantities.

"Sale at wholesale" means a sale of corn in less than carload quantity by a person other than one acting in the capacity of a producer or country shipper to (1) any person other than a feeder; or (2) a feeder in quantities of 30,000 pounds or more.

"Sale at retail" means a sale of corn in less than a carload quantity by a person other than one acting in the capacity of a producer or country shipper to a feeder in quantities of less than 30,000 pounds.

"Feeder" means a person who uses corn for feeding animals or poultry.

"Terminal city" refers to any place within the corporate or switching limits of the cities herein listed as such in the Appendix.

"Interior point" is any place outside the corporate and railroad switching limits of any terminal city.

"Interior rail point" is any interior point having facilities for the loading or unloading of railroad freight cars and to

and from which railroad freight rates are published as provided by law.

"Interior barge loading point" is any interior point on the Illinois, Ohio or Mississippi Rivers north and east of Cairo, Illinois, having facilities for the loading or unloading of barges carrying grain and to and from which barge freight rates are published as provided by law.

"Broker" is a person who acting for the account of either seller or buyer negotiates a sale or purchase of corn in carload quantities for such seller or buyer on a brokerage basis. No broker shall represent both seller and buyer in a given single transaction. No person can be a broker as to corn owned by him.

"Commission merchant" is a person who receives corn at one of the cities hereinafter named on behalf of the owner. He supervises or arranges for the sampling, inspection and weighing of the corn and negotiates a sale thereof in carload quantities on a recognized grain exchange in any of the following cities, to wit:

Buffalo, N. Y.	Memphis, Tenn.
Chicago, Ill.	Milwaukee, Wis.
Cincinnati, Ohio.	Minneapolis, Minn.
Denver, Colo.	Omaha, Nebr.
Des Moines, Iowa.	Peoria, Ill.
Duluth, Minn.	St. Joseph, Mo.
Fort Worth, Tex.	St. Louis, Mo.
Indianapolis, Ind.	Sioux City, Iowa.
Kansas City, Mo.	Toledo, Ohio.
Louisville, Ky.	Nebraska City, Nebr.
New York, N. Y.	

No person can be a commission merchant as to corn owned by him. No more than one such sale shall be made on any one of said exchanges.

"Elevation and handling charges" means and includes the receipt of railroad carloads or barge lots (equal to or more than a carload quantity) of corn at an elevator or warehouse, the unloading of the same into such elevator or warehouse and the loading out of the same in carload quantities.

SEC. 4. *Maximum prices for sales by producers.* (a) The maximum price per bushel, bulk, for the sale of any corn by a producer shall be as follows:

(1) If delivered to the purchaser at farm where grown, the formula price set forth in the appendix at the nearest interior rail or barge loading point less 4 cents per bushel.

(2) If delivered to the purchaser at any other point, the formula price set forth in the appendix at the point of delivery to the purchaser less 2½ cents per bushel.

(b) Where corn is sold and delivered at farm where grown, if the purchaser performs any services connected with the growing, harvesting, husking, shelling, collecting from field or assembling at point on farm where available for ready

transportation from farm, the reasonable value of all such services must be deducted from the appropriate maximum price hereinbefore set forth.

(c) If a maximum price determined under this section results in a fraction of a cent other than ¼ of a cent or a multiple thereof, the same may be increased to the next higher ¼ of a cent.

SEC. 5. *Maximum prices for sales by country shippers.* (a) The maximum price per bushel, bulk, for the sale of any corn by a country shipper shall be the formula price set forth in the appendix at the terminal city or interior rail or barge loading point, either

(1) At which delivery is made to the purchaser; or

(2) From which a shipment is made by him plus, in this latter case, transportation cost to the point of delivery to the purchaser.

(b) If a maximum price determined under this section results in a fraction of a cent other than ⅓ of a cent or a multiple thereof, the same may be increased to the next higher ⅓ of a cent.

SEC. 6. *Maximum prices and margins for distributors in carload quantities—*(a) *Brokers.* Notwithstanding any other law or regulation, the maximum service charge for the services of a broker in connection with any sale or purchase of corn in carload quantities shall be ½ cent per bushel over and above the appropriate maximum price of the corn so sold or purchased. Such charge may be added to the appropriate maximum price for succeeding sales of said corn.

(b) *Commission merchants.* Notwithstanding any other law or regulation, the maximum service charge for the services of a commission merchant in connection with any sale of corn shall be 1 cent per bushel over and above the appropriate maximum price of the corn so sold. Such charge may be added to the appropriate maximum price for succeeding sales of said corn.

(c) *Merchandisers.* (1) The maximum price per bushel, bulk, for the sale of any corn (other than ex-lake corn) by a merchandiser shall be 1¼ cents per bushel (maximum markup) over;

(i) The formula price set forth in the appendix at the point of origin of the freight billing transferred or issued in respect to the lot sold plus transportation costs from said point of origin of the freight billing to the buyer's receiving point; or

(ii) The formula price set forth in the appendix at any terminal city into which the corn has moved plus (in addition to previously added permitted charges or markups other than transportation costs) transportation costs from said terminal city to the buyer's receiving point; or



(iii) The formula price set forth in the appendix at the point of delivery to his purchaser.

(2) The maximum price per bushel, bulk, for the sale of any ex-lake corn by a merchandiser shall be  $1\frac{1}{4}$  cents per bushel (maximum markup) over \$1.22 $\frac{1}{2}$  per bushel plus (in addition to previously added permitted charges or markups other than transportation costs) transportation costs from Buffalo, New York, to the buyer's receiving point.

(3) If a maximum price determined under this section results in a fraction of a cent other than  $\frac{1}{8}$  of a cent or a multiple thereof, the same may be increased to the next higher  $\frac{1}{8}$  of a cent.

(d) *Limitations on charges of distributors in carload quantities.* (1) The maximum price for any sale of a carload quantity of corn shall never include more than a total of two brokers' maximum service charges.

(2) The maximum price for any sale of a carload quantity of corn shall never include more than a total of three commission merchants' maximum service charges and merchandisers' maximum markups (or combination thereof).

(3) The maximum price for the sale of a carload quantity of corn shall never include more than a total of two elevation and handling charges of 1 cent per bushel each when actually performed.

(4) Furthermore:

(i) When corn moves into Area A from a point in Area B, the maximum price for the sale of such corn to the first purchaser within Area A shall never include more than one broker's maximum service charge and one commission merchant's maximum service charge or merchandiser's maximum markup.

(ii) Whether the corn originated within Area A or Area B, when corn moves from one point to another within Area A or when corn moves from within Area A to a point in Area B, the maximum price for the sale of such corn to any purchaser in Area A or to the first purchaser in Area B shall never include more than one broker's maximum service charge and two commission merchants' maximum service charges or merchandisers' maximum markups (or combination thereof) and one elevation and handling charge.

(e) *Separate invoicing of charges, markups and costs.* All service charges, markups, elevation and handling charges, and transportation costs permitted in respect to distributors in carload quantities shall be separately stated on the invoice to each purchaser of a carload quantity of corn.

**SEC. 7. Maximum prices and markups for distributors in less than carload quantities—(a) Sales at wholesale.** The maximum price per bushel, bulk, for the sale of any corn at wholesale shall be one of the following markups:

(1) 4 cents per bushel if the seller unloaded the corn into an elevator or warehouse and loaded it out again; or

(2)  $2\frac{1}{2}$  cents per bushel in all other cases; over the maximum price which he could lawfully have paid for the corn

procured by him (and which he is reselling) at the point of delivery thereof to him plus transportation costs from said point to his buyer's receiving point. Irrespective of the number of sales at wholesale the maximum price for the sale of any corn at wholesale shall never include more than a total of  $2\frac{1}{2}$  cents maximum markup (or 4 cents maximum markup if any such seller unloaded the corn into an elevator or warehouse and loaded it out again).

(b) *Sales at retail.* The maximum price per bushel, bulk, for the sale of any corn at retail shall be one of the following maximum markups:

(1) 5 cents per bushel for a sale and delivery in Area A, and

(2) 8 cents per bushel for a sale and delivery elsewhere; over the maximum price which he could lawfully have paid for the corn procured by him (and which he is reselling) at the point of delivery thereof to him plus transportation costs from said point to his buyer's receiving point.

(c) If a maximum price determined under this section results in a fraction of a cent other than  $\frac{1}{4}$  of a cent or a multiple thereof, the same may be increased to the next higher  $\frac{1}{4}$  of a cent.

**SEC. 8. Sacked corn.** (a) When corn is sold in sacks furnished by the seller, there may be added to the appropriate maximum price the reasonable market value of the sacks used (not exceeding any maximum price established thereon) plus a sacking charge of 2 cents per bushel.

(b) When corn is sold in sacks furnished by the buyer and the seller does the sacking, there may be added to the appropriate maximum price a sacking charge of 2 cents per bushel.

(c) These charges may be added to the appropriate maximum price for succeeding sales while the corn is sold in sacks.

**SEC. 9. Storage and carrying charges.** (a) In addition to the appropriate maximum price for corn, a storage and carrying charge, not exceeding  $1/25$  of a cent a day per bushel, may be charged by a seller from the date of the expiration of free time under a contract of sale, to the date selected by the buyer as the date on which shipment shall be made, or the date on which shipment is actually made, whichever is earlier: *Provided*, That the seller may in all cases have five days from the date of receipt of instructions within which to make shipment, and may charge carrying charges accordingly.

(b) The buyer shall not increase his maximum price for resale to any purchaser because such carrying charges have been incurred.

(c) This section shall have no application to corn stored or remaining on farm where grown.

**SEC. 10. Inspection and weighing charges.** (a) Where to complete a contract of sale of corn, official inspection is necessary, the cost thereof shall be borne by the seller.

(b) Where to complete a contract of sale of corn, official weighing is necessary, the cost thereof may be borne by either seller or buyer as the parties may agree; *Provided*, That if paid by the buyer, said expenditure shall not be added to the maximum price for any resale of said corn.

**SEC. 11. Transfers between distinct branches of a business performing several separate marketing functions.** (a) This regulation in speaking of a sale or purchase of corn by a given person includes, in the case of a business performing several separate marketing functions, transfers, without passage of title or payment of consideration, between distinct branches or units of such business comprising separate and segregated levels of marketing. Thus, by way of illustration only, a country shipper acting in that capacity may sell corn grown by him at the maximum price established for country shipper, or a person selling as a merchandiser may thereafter sell as a wholesaler or retailer from distinct branches or units of such business engaged in making sales at wholesale or sales at retail.

(b) However, where a seller makes a sale at the maximum price for a given class of seller where he would also qualify to make a sale to a like purchaser at a lower maximum price as a different class of seller, the burden shall always rest upon him to establish by clear evidence that the sale was in the regular course of his conduct of a distinct and segregated branch or unit of his entire business, which branch has corresponding facilities and performs like services and functions as independents who belong to that class of seller. Further, for the purposes of this regulation, only the following branches or units shall be recognized in any single business; one producer branch, one country shipper branch, three merchandising branches, one wholesaler branch and one retailer branch.

**SEC. 12. Export sales.** The maximum prices at which a person may export corn shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

**SEC. 13. Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administra-

tion to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

Sec. 14. *Documents and reports.* (a) Every person subject to this regulation making a sale or purchase of corn in the course of trade or business on or after the effective date of this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records of such sales and purchases, including the date thereof, name of the seller and purchaser, price paid or received, buyer's receiving point, and the quantity of corn sold or purchased; except, that producers and sellers and purchasers of quantities of 100 bushels or less shall keep only such records in respect to such sales and purchases as they customarily kept as of the effective date of this regulation.<sup>2</sup>

(b) Upon demand every such seller shall submit such records to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require.<sup>3</sup>

Sec. 15. *Evasive practices.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to corn, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium, or other privilege, or by tying agreement, or other trade understanding, or by any other means.

Sec. 16. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended. Persons having evidence of any violation of this regulation are urged to communicate with the nearest field, state or regional office of the Office of Price Administration, or with the principal office in Washington, D. C.

Sec. 17. *Licensing.* The provisions of Licensing Order No. 1,<sup>4</sup> licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose li-

cense is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 18. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

Sec. 19. *Exempt sales.* Whenever circumstances of emergency make the purchase of corn by the United States or any of its agencies imperative and it is impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, such purchases and deliveries may be made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation.

Sec. 20. *Appendix A: Schedule of formula prices—(a) Purpose and scope of this appendix.* This appendix sets forth a schedule of formula prices. These are simply the basic maximum prices from which the actual maximum price for every sale by every seller is calculated as previously set forth in the text of this regulation. These formula prices shall not be used independently as the maximum price for any sale.

(b) *Definitions.* As used in this appendix:

"Area A" includes the states of Ohio, Indiana, Illinois, Iowa, that portion of the State of Missouri north of the Missouri River and the county of Jackson and St. Louis and the City of St. Louis; the following counties of Kansas: Johnson, Douglas, Shawnee, Pottawatomie, Riley, Washington, and Republic and all counties north and east thereof; the following counties of Nebraska: Nuckolls, Clay, Hamilton, Merrick, Nance, Boone, Antelope, and Knox and all counties east thereof; the following counties of South Dakota: Bon Homme, Hutchinson, Davison, Sanborn, Beadle, Kingsbury, and Brookings and all counties south and east thereof; and the following counties of Minnesota: Big Stone, Swift, Kandiyohi, Meeker, Wright, Anoka, and Washington and all counties south thereof; and any barge loading point on the Illinois, Ohio and Mississippi Rivers north and east of Cairo, Illinois.

"Area B" includes all of the continental United States exclusive of Alaska not embraced in Area A.

(c) *Formula prices for yellow and mixed corn, at terminal cities.* The formula prices per bushel for No. 1 and No. 2 yellow and mixed corn, bulk, shelled, at the following terminal cities shall be as follows:

Terminal city:	No. 1 and No. 2 Yellow and Mixed Corn per bushel
Chicago, Ill.	\$1.16
Minneapolis and St. Paul, Minn.	1.12½
Peoria and Pekin, Ill.	1.15
St. Louis, Mo. and East St. Louis, Ill.	1.16½

Terminal city—Con.	No. 1 and No. 2 Yellow and Mixed Corn Per bushel
Kansas City, Kans. and Kansas City, Mo.	\$1.12¾
St. Joseph, Mo.	1.12¾
Omaha, Nebr. and Council Bluffs, Iowa.	1.10
Sioux City, Iowa.	1.09
Cincinnati, Ohio.	1.20¼
Evansville, Ind.	1.18½
Cairo, Ill.	1.18½

(d) *Formula prices for No. 1 and No. 2 yellow and mixed corn at interior points in Area A.* (1) All interior rail points in Area A shall calculate their formula price as set forth in subparagraph (2) of this paragraph (d). All interior barge loading points in Area A shall calculate their formula price as set forth in paragraph (c) of this section. The formula price of every other interior point in Area A shall be the formula price of the interior rail point or barge loading point nearest thereto. "Nearest" means the shortest distance between the two points in question by the most usually traveled route.

(2) The formula price per bushel for No. 1 and No. 2 yellow and mixed corn, bulk, shelled, at any interior rail point in Area A shall be the highest price obtained by deducting from the formula price at any terminal city set forth in paragraph (c) of this appendix or from the figure set forth opposite the following cities:

	No. 1 and No. 2 Yellow and Mixed Corn per bushel
Milwaukee, Wis.	\$1.16
Duluth, Minn., and Superior, Wis.	1.15¼
Nashville, Tenn.	1.28½
Louisville, Ky.	1.20¼
Philadelphia, Pa.	1.29½

transportation charges computed at the lowest railroad rail rate from the interior rail point in question to the various terminal or other cities above named: *Provided*, That the formula price for interior rail points in the following counties of Illinois shall be determined as the highest price obtained by deducting from a basic maximum price of \$1.21½ per bushel for No. 1 and No. 2 yellow and mixed corn transportation charges computed at the lowest applicable interior rail point in question to Cairo, Illinois. The counties referred to are as follows:

Alexander, Clay, Clinton, Edwards, Franklin, Gallatin, Hardin, Jackson, Jefferson, Johnson, Lawrence, Marion, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Richland, Saint Clair, Saline, Union, Wabash, Washington, Wayne, White, and Williamson.

(e) *Formula prices for No. 1 and No. 2 yellow and mixed corn at interior points in Area B.* The formula price per bushel for No. 1 and No. 2 yellow and mixed corn, bulk, shelled, at any interior point in Area B shall be the price hereinafter set forth opposite the state and county or parish wherein the interior point in question is situated. If any city lies in two price zones, its formula price shall be the price of the higher zone. If any city or area lies in no price zone, its for-

<sup>2</sup> The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

<sup>3</sup> Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

<sup>4</sup> 8 F.R. 13240.

mula price shall be the highest price in any abutting county or parish.

State and County	Price per bushel
<b>Alabama:</b>	
Autauga	1.34½
Baldwin	1.34
Barbour	1.38
Bibb	1.34
Blount	1.34
Bullock	1.37
Butler	1.35
Calhoun	1.35
Chambers	1.37½
Cherokee	1.35
Chilton	1.35
Choctaw	1.33
Clarke	1.34
Clay	1.36½
Cleburne	1.35½
Coffee	1.36½
Colbert	1.30
Conecuh	1.35
Coosa	1.36
Covington	1.36
Crenshaw	1.36
Cullman	1.33½
Dale	1.37½
Dallas	1.34½
De Kalb	1.34½
Elmore	1.36
Escambia	1.35
Etowah	1.34½
Fayette	1.33½
Franklin	1.30
Geneva	1.37½
Greene	1.33
Hale	1.34
Henry	1.38½
Houston	1.39
Jackson	1.34
Jefferson	1.33½
Lamar	1.31½
Lauderdale	1.30
Lawrence	1.32
Lee	1.38
Limestone	1.32½
Lowndes	1.35
Macon	1.36
Madison	1.33½
Marengo	1.33½
Marion	1.30½
Marshall	1.34
Mobile	1.32
Monroe	1.34½
Montgomery	1.34½
Morgan	1.33½
Perry	1.34
Pickens	1.32½
Pike	1.37
Randolph	1.37
Russell	1.38
Saint Clair	1.34½
Shelby	1.35
Sumter	1.33
Talladega	1.36½
Tallapoosa	1.37
Tuscaloosa	1.33½
Walter	1.33½
Washington	1.32½
Wilcox	1.34½
Winston	1.32
<b>Arizona:</b>	
All counties	1.37
<b>Arkansas:</b>	
Arkansas	1.24½
Ashley	1.24½
Baxter	1.20½
Benton	1.20
Boone	1.20
Bradley	1.24½
Calhoun	1.24½
Carroll	1.20
Chicot	1.24½
Clark	1.24½
Clay	1.22½
Cleburne	1.23½
Cleveland	1.24½

State and County	Price per bushel
<b>Arkansas—Continued.</b>	
Columbia	1.24½
Conway	1.23½
Craighead	1.23½
Crawford	1.21
Crittenden	1.23½
Cross	1.23½
Dallas	1.24½
Dasha	1.24½
Drew	1.24½
Faulkner	1.23½
Franklin	1.21½
Fulton	1.20½
Garland	1.24½
Grant	1.24½
Greene	1.23
Hempstead	1.24½
Hot Spring	1.24½
Howard	1.24½
Independence	1.23
Izard	1.23
Jackson	1.23½
Jefferson	1.24½
Johnson	1.22½
Lafayette	1.24½
Lawrence	1.23
Lee	1.24½
Lincoln	1.24½
Little River	1.23½
Logan	1.22½
Lonoke	1.24½
Madison	1.21
Marion	1.20½
Miller	1.25
Mississippi	1.23
Monroe	1.24½
Montgomery	1.24½
Nevada	1.24½
Newton	1.21½
Ouachita	1.24½
Perry	1.23½
Phillips	1.24½
Pike	1.24½
Poinsett	1.23½
Polk	1.23½
Pope	1.23
Prairie	1.24½
Pulaski	1.24½
Randolph	1.21½
St. Francis	1.23½
Saline	1.24½
Scott	1.22½
Searcy	1.22
Sebastian	1.22
Sevier	1.23½
Sharp	1.21
Stone	1.22
Union	1.24½
Van Buren	1.23½
Washington	1.21
White	1.23½
Woodruff	1.23½
Yell	1.23
<b>California:</b>	
All counties	1.43
<b>Colorado:</b>	
Adams	1.22
Alamosa	1.30
Arapahoe	1.22
Archuleta	1.35
Baca	1.22½
Bent	1.21½
Boulder	1.22
Chaffee	1.32
Cheyenne	1.19
Clear Creek	1.27
Conejos	1.30
Costilla	1.30
Crowley	1.21½
Custer	1.27
Delta	1.37
Denver	1.23½
Dolores	1.37
Douglas	1.23
Eagle	1.37
Elbert	1.23
El Paso	1.23½

State and County	Price per bushel
<b>Colorado—Continued.</b>	
Fremont	1.25
Garfield	1.37
Gilpin	1.27
Grand	1.27
Gunnison	1.35
Hinsdale	1.35
Huerfano	1.23
Jackson	1.27
Jefferson	1.22
Kiowa	1.19½
Kit Carson	1.17½
Lake	1.32
La Plata	1.37
Larimer	1.22
Las Animas	1.24
Lincoln	1.20
Logan	1.17
Mesa	1.37
Mineral	1.35
Moffat	1.37
Montezuma	1.37
Montrose	1.37
Morgan	1.19
Otero	1.22½
Ouray	1.37
Park	1.27
Phillips	1.15
Pitkin	1.37
Prowers	1.20
Pueblo	1.23½
Rio Blanco	1.37
Rio Grande	1.30
Routt	1.32
Saguache	1.30
San Juan	1.37
San Miguel	1.37
Sedgwick	1.14
Summit	1.32
Teller	1.27
Washington	1.19
Weld	1.20
Yuma	1.16
<b>Connecticut:</b>	
All counties	1.31
<b>Delaware:</b>	
All counties	1.23
<b>District of Columbia:</b>	
District of Columbia	1.27
<b>Florida:</b>	
Bay	1.33
Calhoun	1.33
Escambia	1.33
Gulf	1.33
Holmes	1.33
Jackson	1.33
Okaloosa	1.35
Santa Rosa	1.33
Walton	1.36½
Washington	1.33
All other counties	1.39
<b>Georgia:</b>	
Banks	1.36½
Barrow	1.36½
Bartow	1.35½
Carroll	1.36½
Catoosa	1.24½
Chattooga	1.35
Cherokee	1.35½
Clarke	1.36½
Clayton	1.36½
Cobb	1.35
Coweta	1.36½
Dade	1.34
Dawson	1.35
De Kalb	1.36½
Douglas	1.36½
Elbert	1.36½
Fannin	1.34
Fayette	1.36½
Floyd	1.35½
Forsyth	1.35
Franklin	1.36½
Fulton	1.36½
Gilmer	1.24½
Gordon	1.35
Gwinnett	1.36½
Habersham	1.35½

State and County	Price per bushel	State and County	Price per bushel	State and County	Price per bushel
Georgia—Continued.		Kansas—Continued.		Kentucky—Continued.	
Hall	\$1.36	Jewell	\$1.05	Estill	\$1.21
Harelsion	1.36	Kearny	1.17	Fayette	1.19
Hart	1.36½	Kingman	1.12½	Fleming	1.17
Heard	1.36½	Kiowa	1.14	Floyd	1.21
Jackson	1.36½	Labette	1.16	Franklin	1.17
Lumpkin	1.35	Lane	1.13½	Fulton	1.21
Madison	1.36½	Lincoln	1.07½	Gallatin	1.15
Murray	1.34	Linn	1.11	Garrard	1.20
Oconee	1.36½	Logan	1.14½	Grant	1.16½
Paulding	1.36	Lyon	1.07½	Graves	1.17½
Pickens	1.35	McPherson	1.09	Grayson	1.17
Polk	1.36	Marion	1.09	Green	1.20
Rabun	1.34½	Meade	1.18	Greenup	1.16
Rockdale	1.36½	Miami	1.09	Hancock	1.15
Stephens	1.36	Mitchell	1.06	Hardin	1.17
Towns	1.34	Montgomery	1.14½	Harlan	1.23
Union	1.34	Morris	1.07½	Harrison	1.18
Walker	1.34½	Morton	1.22	Hart	1.19
Walton	1.36½	Neosho	1.14	Henderson	1.15½
White	1.35	Ness	1.12½	Henry	1.16½
Whitfield	1.35	Norton	1.09	Hickman	1.19½
All other counties	1.33	Osage	1.07½	Hopkins	1.18
Idaho:		Osborne	1.07	Jackson	1.22
Bannock	1.37	Ottawa	1.07	Jefferson	1.14½
Bear Lake	1.37	Pawnee	1.12	Jessamine	1.19
Bingham	1.37	Phillips	1.07½	Johnson	1.19
Blaine	1.37	Pratt	1.13	Kenton	1.15
Bonneville	1.37	Rawlins	1.12	Knott	1.22
Butte	1.37	Reno	1.11	Knox	1.23
Camas	1.37	Rice	1.10	Larue	1.18
Caribou	1.37	Rooks	1.08	Laurel	1.23
Cassia	1.37	Rush	1.11	Lawrence	1.18
Clark	1.37	Russell	1.08½	Lee	1.21
Custer	1.37	Saline	1.08	Leslie	1.23
Franklin	1.37	Scott	1.15	Letcher	1.22
Fremont	1.37	Sedgwick	1.11½	Lewis	1.16
Gooding	1.37	Seward	1.19½	Lincoln	1.21
Jefferson	1.37	Sheridan	1.11½	Livingston	1.16½
Jerome	1.37	Sherman	1.15	Logan	1.21
Lemhi	1.37	Smith	1.06	Lyon	1.18
Lincoln	1.37	Stafford	1.11½	McCracken	1.16
Madison	1.37	Stanton	1.20	McCreary	1.25
Minidoka	1.37	Stevens	1.20½	McLean	1.17
Oneida	1.37	Sumner	1.13	Madison	1.20
Power	1.37	Thomas	1.13	Magoffin	1.20
Teton	1.37	Trego	1.11	Marion	1.19
All other counties	1.42	Wabauunsee	1.06	Marshall	1.17½
Kansas:		Wallace	1.16	Martin	1.20
Allen	1.12	Wichita	1.16	Mason	1.16
Anderson	1.10	Wilson	1.13	Meade	1.15
Barber	1.14½	Woodson	1.11	Menifee	1.19
Barton	1.10	All other counties in Kansas are in Area A.		Mercer	1.19
Bourbon	1.13	Kentucky:		Metcalfe	1.21
Butler	1.11	Adair	1.22	Monroe	1.23
Chase	1.09	Allen	1.23	Montgomery	1.19
Chautauqua	1.13	Anderson	1.17	Morgan	1.19
Cherokee	1.17	Ballard	1.18	Muhlenberg	1.19
Cheyenne	1.14	Barren	1.21	Nelson	1.17
Clark	1.17	Bath	1.18	Nicholas	1.18
Clay	1.06	Bell	1.23	Ohio	1.16½
Cloud	1.05½	Boone	1.15	Oldham	1.15
Coffey	1.09	Bourbon	1.18	Owen	1.16½
Comanche	1.16	Boyd	1.16	Owsley	1.22
Cowley	1.13	Boyle	1.19	Pendleton	1.16½
Crawford	1.15	Bracken	1.16	Perry	1.22
Decatur	1.10½	Breathitt	1.21	Pike	1.22
Dickinson	1.07½	Breckinridge	1.15	Powell	1.20
Edwards	1.12½	Bullitt	1.15	Pulaski	1.23
Elk	1.11	Butler	1.19	Robertson	1.18
Ellis	1.09½	Caldwell	1.18	Rockcastle	1.22
Ellsworth	1.09	Calloway	1.19½	Rowan	1.17
Finney	1.16	Campbell	1.15	Russell	1.23
Ford	1.15	Carlisle	1.19½	Scott	1.18
Franklin	1.08½	Carroll	1.15	Shelby	1.16½
Geary	1.06½	Carter	1.16½	Simpson	1.22
Gove	1.13	Casey	1.21	Spencer	1.16½
Graham	1.10	Christian	1.20½	Taylor	1.20
Grant	1.19	Clark	1.19	Todd	1.21
Gray	1.16	Clay	1.23	Trigg	1.20
Greeley	1.17	Clinton	1.24	Trimble	1.15
Greenwood	1.09	Crittenden	1.16½	Union	1.15½
Hamilton	1.18	Cumberland	1.23	Warren	1.21
Harper	1.14	Davless	1.14½	Washington	1.18
Harvey	1.10	Edmonson	1.19	Wayne	1.25
Haskell	1.17½	Elliott	1.18	Webster	1.17
Hodgeman	1.13½			Whitley	1.24

State and County	Price per bushel
Kentucky—Continued.	
Wolfe	\$1.21
Woodford	1.18
Louisiana:	
Acadia	1.28
Allen	1.28
Ascension	1.29
Assumption	1.28
Aveyelles	1.28
Beauregard	1.28
Bevinville	1.25
Bossier	1.25
Caddo	1.25
Calcasieu	1.28
Caldwell	1.26½
Cameron	1.28
Catahoula	1.26½
Clairborne	1.25
Concordia	1.26½
De Soto	1.26½
East Baton Rouge	1.29
East Carroll	1.25
East Feliciana	1.28
Evangeline	1.28
Franklin	1.26½
Grant	1.26½
Iberia	1.28
Iberville	1.28
Jackson	1.25
Jefferson	1.30½
Jefferson Davis	1.28
Lafayette	1.28
Lafourche	1.30½
LaSalle	1.26½
Lincoln	1.25
Livingston	1.29
Madison	1.25
Morehouse	1.25
Natchitoches	1.26½
Orleans	1.30½
Ouachita	1.25
Plaquemines	1.30½
Pointe Coupee	1.28½
Rapides	1.28
Red River	1.26½
Richland	1.25
Sabine	1.26½
Saint Bernard	1.30½
Saint Charles	1.30½
Saint Helena	1.28
Saint John the Baptist	1.30½
Saint James	1.29
Saint Landry	1.28
Saint Martin	1.28
Saint Mary	1.28
Saint Tammany	1.29½
Tangipshoa	1.29
Tensas	1.26½
Terrebonne	1.30½
Union	1.25
Vermillion	1.28
Vernon	1.28
Washington	1.28
Webster	1.25
West Baton Rouge	1.28½
West Carroll	1.25
West Feliciana	1.28
Winn	1.26½
Maine:	
All counties	1.32
Maryland:	
Allegany	1.25
Anne Arundel	1.27
Baltimore	1.27
Baltimore City	1.27
Calvert	1.27
Caroline	1.28
Carroll	1.27
Cecil	1.28
Charles	1.27
Dorchester	1.28
Frederick	1.27
Garrett	1.24
Harford	1.27
Howard	1.27
Kent	1.28
Montgomery	1.27

State and County	Price per bushel
Maryland—Continued.	
Prince Georges	\$1.27
Queen Annes	1.28
St. Marys	1.27
Somerset	1.28
Talbot	1.28
Washington	1.27
Wicomico	1.28
Worcester	1.28
Massachusetts:	
All counties	1.31
Michigan:	
Alcona	1.19
Alger	1.17
Allegan	1.13½
Alpena	1.20
Antrim	1.20
Arenac	1.18
Baraga	1.16
Barry	1.14½
Bay	1.18
Benzie	1.18
Barrien	1.12
Branch	1.14
Calhoun	1.14½
Cass	1.12
Charlevoix	1.20
Cheboygan	1.20
Chippewa	1.20
Clare	1.18
Clinton	1.16
Crawford	1.19
Delta	1.17
Dickinson	1.15
Eaton	1.15½
Emmet	1.20
Genesee	1.17½
Gladwin	1.18
Gogebic	1.15
Grand Traverse	1.18
Gratiot	1.17
Hillsdale	1.15
Houghton	1.16
Huron	1.18
Ingham	1.16
Ionia	1.16
Iosco	1.18½
Iron	1.15
Isabella	1.17½
Jackson	1.15½
Kalamazoo	1.13½
Kalkaska	1.18½
Kent	1.13
Keweenaw	1.17
Lake	1.16½
Lapeer	1.17½
Leelanau	1.18½
Lenawee	1.15½
Livingston	1.17
Luce	1.20
Mackinac	1.20
Macomb	1.17
Manistee	1.17
Marquette	1.16
Mason	1.10½
Mecosta	1.17
Menominee	1.15
Midland	1.17½
Missaukee	1.18
Monroe	1.16
Montcalm	1.16½
Montmorency	1.20
Muskegon	1.15
Newaygo	1.16½
Oakland	1.17
Oceana	1.16½
Ogemaw	1.18½
Ontonagon	1.16
Osceola	1.17
Oscoda	1.19
Otsego	1.20
Ottawa	1.14
Presque Isle	1.20
Roscommon	1.18½
Saginaw	1.17½
Saint Clair	1.17½
Saint Joseph	1.13

State and County	Price per bushel
Michigan—Continued.	
Sanilac	\$1.18
Schoolcraft	1.18
Shiawassee	1.17
Tuscola	1.18
Van Buren	1.12½
Washtenaw	1.16½
Wayne	1.16½
Wexford	1.17½
Minnesota:	
Alfalfa	1.12
Becker	1.10
Beltrami	1.14
Benton	1.09½
Carlton	1.13
Cass	1.11
Chicago	1.09
Clay	1.09
Clearwater	1.12
Cook	1.17
Crow Wing	1.11
Douglas	1.07
Grant	1.06
Hubbard	1.11
Itasca	1.09
Itasca	1.13
Kanabec	1.16
Kittson	1.16
Koochiching	1.15
Lake	1.16
Lake of the Woods	1.16
Mahnomen	1.11
Marshall	1.14
Mille Lacs	1.10
Morrison	1.09½
Norman	1.10
Otter Tail	1.09
Pennington	1.13
Pine	1.11
Polk	1.12
Pope	1.06
Red Lake	1.12
Roseau	1.16
Saint Louis	1.15
Sherburne	1.03
Stearns	1.07
Stevens	1.05½
Todd	1.03
Traverse	1.05
Wadena	1.10
Willkin	1.07
All other counties in Minnesota are in Area A.	
Mississippi:	
Adams	1.27
Alcorn	1.26
Amite	1.23½
Attala	1.28
Benton	1.24½
Bolivar	1.25
Calhoun	1.27½
Carroll	1.29
Chickasaw	1.28
Choctaw	1.23½
Clairborne	1.27
Clarke	1.32
Clay	1.30
Coahoma	1.25
Copiah	1.28
Covington	1.30
De Soto	1.24½
Forrest	1.30
Franklin	1.27½
George	1.30
Greene	1.30½
Grenada	1.29
Hancock	1.30
Harrison	1.30
Hinds	1.28
Holmes	1.27½
Humphreys	1.26
Itaquena	1.25½
Itawamba	1.23½
Jackson	1.30
Jasper	1.31
Jefferson	1.27
Jefferson Davis	1.30



State and County	Price per bushel	State and County	Price per bushel	State and County	Price per bushel
Mississippi—Continued.		Missouri—Continued.		Montana—Continued.	
Jones	\$1.30	Miller	\$1.13	Treasure	\$1.23
Kemper	1.32½	Mississippi	1.19½	Valley	1.23
Lafayette	1.26	Moniteau	1.11	Wheatland	1.31
Lamar	1.30	Morgan	1.12	Wilboux	1.18
Lauderdale	1.32½	New Madrid	1.20	Yellowstone	1.24
Lawrence	1.28	Newton	1.18	Nebraska:	
Leake	1.30	Oregon	1.19	Adams	1.04
Lee	1.28	Osage	1.11	Arthur	1.11
Leflore	1.27	Ozark	1.19	Banner	1.17
Lincoln	1.27½	Pemiscot	1.21½	Blaine	1.09
Lowndes	1.31	Perry	1.16½	Box Butte	1.16
Madison	1.28	Pettis	1.11	Boyd	1.04
Marion	1.30	Phelps	1.15	Brown	1.08
Marshall	1.24½	Polk	1.14	Buffalo	1.05½
Monroe	1.29½	Pulaski	1.15	Chase	1.13
Montgomery	1.27	Reynolds	1.17½	Cherry	1.10
Neeshoba	1.31	Ripley	1.20½	Cheyenne	1.16
Newton	1.31½	Saint Clair	1.12	Custer	1.07
Noxubee	1.31	St. Genevieve	1.15½	Dawes	1.16
Oktibbeha	1.29½	Saint Francois	1.18½	Dawson	1.07
Panola	1.26	Saline	1.09½	Deuel	1.13
Pearl River	1.29	Scott	1.18	Dundy	1.13
Perry	1.30½	Shannon	1.17½	Franklin	1.05½
Warren	1.26½	Stoddard	1.19	Frontier	1.09½
Washington	1.25	Stone	1.19½	Farnas	1.09
Wayne	1.31	Taney	1.19	Garden	1.13
Webster	1.28	Texas	1.17	Garfield	1.09½
Wilkinson	1.28½	Vernon	1.13	Gosper	1.08
Winston	1.29	Washington	1.15½	Grant	1.12½
Yalobusha	1.27	Wayne	1.19½	Greeley	1.03
Yazoo	1.28	Webster	1.16	Hall	1.04
Pike	1.28½	Wright	1.16½	Harlan	1.09½
Pontotoc	1.27	All other counties in Missouri are in Area A.		Hayes	1.11
Prentiss	1.27	Montana:		Hitchcock	1.11
Quitman	1.26	Beaverhead	1.37	Holt	1.04
Rankin	1.29	Big Horn	1.22	Hooker	1.11½
Scott	1.30	Blaine	1.27	Howard	1.04½
Sharkey	1.26½	Broadwater	1.35	Kearney	1.05½
Simpson	1.29	Carbon	1.25	Kelth	1.11
Smith	1.30	Carter	1.18	Keya Paha	1.07
Stone	1.29	Cascade	1.32	Kimball	1.17
Sunflower	1.26	Chauteau	1.30	Lincoln	1.09
Tallahatchie	1.27	Custer	1.20	Logan	1.09
Tate	1.24½	Daniels	1.20	Loup	1.07
Tippah	1.25	Dawson	1.20	McPherson	1.10
Tishomingo	1.28	Deerlodge	1.37	Morrill	1.16
Tunica	1.24½	Fallon	1.18	Perkins	1.11
Union	1.26	Fergus	1.27	Phelps	1.09½
Walthall	1.29	Flathead	1.37	Redwillow	1.09½
Missouri:		Gallatin	1.35	Rock	1.08
Barry	1.19½	Garfield	1.22	Scotts Bluff	1.17
Barton	1.15	Glacier	1.35	Sheridan	1.12½
Bates	1.11	Golden Valley	1.27	Sherman	1.08
Benton	1.13	Granite	1.37	Sioux	1.17
Bollinger	1.18	Hill	1.30	Thomas	1.10
Butler	1.21	Jefferson	1.37	Valley	1.09
Camden	1.14	Judith Basin	1.30	Webster	1.04
Cape Girardeau	1.17	Lake	1.37	Wheeler	1.04
Carter	1.19½	Lewis and Clark	1.37	Nevada:	
Cass	1.09½	Liberty	1.32	All counties	1.42
Cedar	1.13½	Lincoln	1.37	New Hampshire:	
Christian	1.17½	McCone	1.20	All counties	1.32
Cole	1.11	Madison	1.37	New Jersey:	
Cooper	1.11	Meagher	1.33	All counties	1.29
Crawford	1.14	Mineral	1.37	New Mexico:	
Dade	1.15	Missoula	1.37	Bernalillo	1.34
Dallas	1.14	Musselshell	1.24	Catron	1.37
Dent	1.16	Park	1.32	Chaves	1.32
Douglas	1.18	Petroleum	1.24	Cofax	1.27
Dunklin	1.22½	Phillips	1.24	Curry	1.20
Franklin	1.13	Pondera	1.34	De Baca	1.30
Gasconade	1.12	Powder River	1.20	Dona Ana	1.37
Greene	1.15½	Powell	1.37	Eddy	1.34
Henry	1.11½	Prairie	1.20	Grant	1.37
Hickory	1.13½	Navaho	1.37	Guadalupe	1.29
Howell	1.19	Richland	1.18	Harding	1.29
Iron	1.17½	Roosevelt	1.19	Hidalgo	1.37
Jasper	1.17½	Rosebud	1.22	Lee	1.33
Jefferson	1.14½	Sanders	1.37	Lincoln	1.33
Johnson	1.10	Sheridan	1.19	Luna	1.37
Laclede	1.15	Silver Bow	1.37	McKinley	1.30
Lafayette	1.08½	Stillwater	1.27	Mora	1.20
Lawrence	1.17	Sweet Grass	1.30	Otero	1.36
McDonald	1.19½	Teton	1.34	Quay	1.20
Madison	1.18	Toole	1.34	Rio Arriba	1.33
Maries	1.13			Roosevelt	1.30

State and County	Price per bushel	State and County	Price per bushel	State and County	Price per bushel
New Mexico—Continued.		North Carolina—Continued.		North Carolina—Continued.	
Sandoval.....	\$1.33	Cabarrus.....	\$1.33	Yadkin.....	\$1.31
San Juan.....	1.37	Caldwell.....	1.31	Yancey.....	1.29
San Miguel.....	1.29	Camden.....	1.33		
Santa Fe.....	1.31	Carteret.....	1.34	North Dakota:	
Sierre.....	1.37	Caswell.....	1.32	Adams.....	1.12½
Socorro.....	1.36	Catawba.....	1.31	Barnes.....	1.03
Taos.....	1.30	Chatham.....	1.32	Beacon.....	1.14
Torrance.....	1.32	Cherokee.....	1.33	Billings.....	1.15
Union.....	1.26	Chowan.....	1.33	Bottineau.....	1.16
Valencia.....	1.35	Clay.....	1.33	Bowman.....	1.15
New York:		Cleveland.....	1.33	Burke.....	1.17
Albany.....	1.30	Columbus.....	1.35	Burleigh.....	1.10
Allegany.....	1.25	Craven.....	1.34	Cass.....	1.03
Bronx.....	1.30	Cumberland.....	1.33	Cavaller.....	1.16
Broome.....	1.28	Currituck.....	1.33	Dickey.....	1.05½
Cattaraugus.....	1.24	Dare.....	1.33	Divide.....	1.17
Cayuga.....	1.29	Davidson.....	1.32	Dunn.....	1.14
Chautauqua.....	1.22	Davie.....	1.32	Eddy.....	1.12
Chemung.....	1.28	Duplin.....	1.33	Emmons.....	1.03½
Chenango.....	1.29	Durham.....	1.32	Foster.....	1.11
Clinton.....	1.31	Edgerombe.....	1.33	Golden Valley.....	1.15
Columbia.....	1.30	Forsyth.....	1.32	Grand Forks.....	1.12
Cortland.....	1.29	Franklin.....	1.32	Grant.....	1.11
Delaware.....	1.30	Gaston.....	1.33	Griggs.....	1.10
Dutchess.....	1.30	Gates.....	1.33	Hottinger.....	1.12½
Erie.....	1.24	Graham.....	1.31	Kidder.....	1.10
Essex.....	1.31	Granville.....	1.32	La Moure.....	1.07
Franklin.....	1.31	Greene.....	1.33	Logan.....	1.03
Fulton.....	1.31	Gulford.....	1.32	McHenry.....	1.14
Genesee.....	1.25	Halifax.....	1.33	McIntosh.....	1.07
Greene.....	1.30	Harnett.....	1.33	McKenzie.....	1.15
Hamilton.....	1.31	Haywood.....	1.31	McLean.....	1.12½
Herkimer.....	1.31	Henderson.....	1.33	Mercer.....	1.12
Jefferson.....	1.31	Hertford.....	1.33	Morton.....	1.10
Kings.....	1.30	Hoke.....	1.33	Mountrall.....	1.15
Lewis.....	1.31	Hyde.....	1.34	Nelson.....	1.12
Livingston.....	1.27	Iredell.....	1.32	Oliver.....	1.11
Madison.....	1.30	Jackson.....	1.32	Pembina.....	1.16
Monroe.....	1.26	Johnston.....	1.33	Pierce.....	1.14
Montgomery.....	1.30	Jones.....	1.34	Ramsey.....	1.14
Nassau.....	1.30	Lee.....	1.32	Ransom.....	1.03½
New York.....	1.30	Lenoir.....	1.33	Ranville.....	1.16
Niagara.....	1.24	Lincoln.....	1.32	Richland.....	1.06
Oneida.....	1.30	McDowell.....	1.31	Rolette.....	1.16
Onondaga.....	1.30	Mac-n.....	1.33	Sargent.....	1.05½
Ontario.....	1.27	Madison.....	1.29	Sheridan.....	1.12
Orange.....	1.30	Martin.....	1.33	Sioux.....	1.09½
Orleans.....	1.25	Mecklenburg.....	1.34	Slope.....	1.15
Oswego.....	1.30	Mitchell.....	1.29	Stark.....	1.12½
Otsego.....	1.30	Montgomery.....	1.33	Steele.....	1.10
Putnam.....	1.30	Moore.....	1.33	Stuteman.....	1.09
Queens.....	1.30	Nash.....	1.33	Towner.....	1.16
Rensselaer.....	1.30	New Hanover.....	1.34	Trall.....	1.10
Richmond.....	1.30	Northampton.....	1.33	Walsh.....	1.14
Rockland.....	1.30	Onslow.....	1.34	Ward.....	1.14
Saint Lawrence.....	1.31	Orange.....	1.32	Wells.....	1.12
Saratoga.....	1.31	Pamlico.....	1.34	Williams.....	1.16
Schenectady.....	1.30	Pasquotank.....	1.33	Oklahoma:	
Schoharie.....	1.30	Pender.....	1.34	Adair.....	1.21
Schuyler.....	1.28	Perquimans.....	1.33	Alfalfa.....	1.16
Seneca.....	1.28	Person.....	1.32	Atoka.....	1.24
Steuben.....	1.26	Pitt.....	1.33	Beaver.....	1.20
Suffolk.....	1.30	Polk.....	1.33	Beckham.....	1.23½
Sullivan.....	1.30	Randolph.....	1.32	Blaine.....	1.20
Tioga.....	1.28	Richmond.....	1.34	Bryan.....	1.24½
Tompkins.....	1.29	Robeson.....	1.34	Caddo.....	1.22
Ulster.....	1.30	Rockingham.....	1.32	Canadian.....	1.20½
Warren.....	1.31	Rowan.....	1.32	Carter.....	1.24½
Washington.....	1.31	Rutherford.....	1.33	Cherokee.....	1.21
Wayne.....	1.27	Sampson.....	1.33	Choctaw.....	1.24½
Westchester.....	1.30	Scotland.....	1.34	Cimarron.....	1.23
Wyoming.....	1.26	Stanly.....	1.33	Cleveland.....	1.22
Yates.....	1.27	Stokes.....	1.32	Coal.....	1.22½
North Carolina:		Surry.....	1.30	Comanche.....	1.23½
Alamance.....	1.32	Swain.....	1.30	Cotton.....	1.24½
Alexander.....	1.31	Transylvania.....	1.33	Craig.....	1.18
Alleghany.....	1.29	Tyrrell.....	1.33	Creek.....	1.17½
Anson.....	1.34	Union.....	1.34	Custer.....	1.21½
Ashe.....	1.29	Vance.....	1.32	Delaware.....	1.20
Avery.....	1.29	Wake.....	1.32	Dawey.....	1.20
Beaufort.....	1.34	Warren.....	1.32	Ellis.....	1.20
Bertie.....	1.33	Washington.....	1.33	Garfield.....	1.17
Bladen.....	1.34	Watauga.....	1.29	Garvin.....	1.23
Brunswick.....	1.35	Wayne.....	1.33	Grady.....	1.22
Buncombe.....	1.31	Wilkes.....	1.30	Grant.....	1.15
Burke.....	1.31	Wilson.....	1.33	Greer.....	1.24½
				Harmon.....	1.25½

State and County	Price per bushel	State and County	Price per bushel	State and County	Price per bushel
Oklahoma—Continued.		Pennsylvania—Continued.		South Dakota—Continued.	
Harper.....	\$1.18	Lancaster.....	\$1.28	Meade.....	\$1.13½
Haskell.....	1.22	Lawrence.....	1.20	Mellette.....	1.08
Hughes.....	1.21	Lebanon.....	1.28	Pennington.....	1.13½
Jackson.....	1.24½	Lehigh.....	1.28	Perkins.....	1.12
Jefferson.....	1.24½	Luzerne.....	1.28	Potter.....	1.08
Johnston.....	1.23½	Lycoming.....	1.27	Roberts.....	1.08
Kay.....	1.15	McKean.....	1.24	Shannon.....	1.12
Kingfisher.....	1.19	Mercer.....	1.20	Spink.....	1.03
Kiowa.....	1.24	Mifflin.....	1.26	Stanley.....	1.08
Látimer.....	1.23½	Monroe.....	1.28	Sully.....	1.04
Le Flore.....	1.23	Montgomery.....	1.28	Todd.....	1.08
Lincoln.....	1.19	Montour.....	1.28	Tripp.....	1.08
Logan.....	1.19	Northampton.....	1.28	Walworth.....	1.08
Love.....	1.24½	Northumberland.....	1.28	Washabaugh.....	1.10
McClain.....	1.22½	Perry.....	1.27	Washington.....	1.12
McCurtain.....	1.24	Philadelphia.....	1.28	Ziebach.....	1.10
McIntosh.....	1.20½	Pike.....	1.28	All other counties in South Dakota	
Major.....	1.18	Potter.....	1.25	are in Area A.	
Marshall.....	1.24½	Schuylkill.....	1.28	Tennessee:	
Mayes.....	1.20	Snyder.....	1.27	Anderson.....	1.27
Murray.....	1.24	Somerset.....	1.23	Bedford.....	1.29
Muskogee.....	1.20½	Sullivan.....	1.28	Benton.....	1.23
Noble.....	1.17	Susquehanna.....	1.28	Bledsoe.....	1.20
Nowata.....	1.16	Tioga.....	1.26	Blount.....	1.30
Okfuskee.....	1.19	Union.....	1.27	Bradley.....	1.33
Oklahoma.....	1.21	Venango.....	1.21	Campbell.....	1.26
Okmulgee.....	1.18½	Warren.....	1.22	Cannon.....	1.20
Osage.....	1.15	Washington.....	1.20	Carroll.....	1.23
Ottawa.....	1.18½	Wayne.....	1.28	Chester.....	1.24
Pawnee.....	1.16½	Westmoreland.....	1.22	Carter.....	1.29
Payne.....	1.18½	Wyoming.....	1.28	Cheatham.....	1.24
Pittsburg.....	1.22	York.....	1.27	Clalborne.....	1.25
Pontotoc.....	1.22	Rhode Island:		Clay.....	1.24
Pottawatomie.....	1.21	All counties.....	1.31	Cocke.....	1.30
Pushmataha.....	1.24	South Carolina:		Coffee.....	1.30
Rogers.....	1.18	Abbeville.....	1.36½	Crockett.....	1.23
Roger Mills.....	1.22	Anderson.....	1.36½	Cumberland.....	1.26
Seminole.....	1.20	Cherokee.....	1.36½	Davidson.....	1.25
Sequoyah.....	1.22	Chester.....	1.36½	Decatur.....	1.26
Stephens.....	1.23½	Fairfield.....	1.36½	De Kalb.....	1.27
Texas.....	1.21½	Greenville.....	1.36	Dickson.....	1.24
Tillman.....	1.24½	Greenwood.....	1.36½	Dyer.....	1.23
Tulsa.....	1.17	Laurens.....	1.36½	Fayette.....	1.24
Wagoner.....	1.19½	Newberry.....	1.36½	Fentress.....	1.20
Washington.....	1.16	Oconee.....	1.36	Franklin.....	1.32
Washita.....	1.22	Pickens.....	1.36	Gibson.....	1.22
Woods.....	1.16½	Spartanburg.....	1.36½	Giles.....	1.30½
Woodward.....	1.18½	Union.....	1.36½	Grainger.....	1.27
Oregon:		York.....	1.36½	Greene.....	1.29
All counties.....	1.42	All other counties.....	1.38	Grundy.....	1.31
Pennsylvania:		South Dakota:		Hamblen.....	1.28
Adams.....	1.27	Armstrong.....	1.08	Hamilton.....	1.32½
Allegheny.....	1.21	Aurora.....	1.02	Hancock.....	1.26
Armstrong.....	1.22	Bennett.....	1.10	Hardeman.....	1.24
Beaver.....	1.20	Brown.....	1.04	Hardin.....	1.20
Bedford.....	1.24	Brule.....	1.03½	Hawkins.....	1.28
Berks.....	1.28	Buffalo.....	1.03½	Haywood.....	1.23
Blair.....	1.24	Butte.....	1.15	Henderson.....	1.24
Bradford.....	1.28	Campbell.....	1.07	Henry.....	1.21
Bucks.....	1.28	Charles Mix.....	1.03	Hickman.....	1.20
Butler.....	1.21	Clark.....	1.03	Houston.....	1.23
Cambria.....	1.23	Codington.....	1.03	Humphreys.....	1.24
Cameron.....	1.24	Corson.....	1.09	Jackson.....	1.26
Carbon.....	1.28	Custer.....	1.14	Jefferson.....	1.28
Centre.....	1.25	Day.....	1.04	Johnson.....	1.20
Chester.....	1.28	Deuel.....	1.03	Knox.....	1.28
Clarion.....	1.22	Dewey.....	1.08	Lake.....	1.21
Clearfield.....	1.24	Douglas.....	1.02	Lauderdale.....	1.23
Clinton.....	1.25	Edmunds.....	1.04	Lawrence.....	1.28
Columbia.....	1.28	Fall River.....	1.15	Lewis.....	1.27
Crawford.....	1.20	Faulk.....	1.04	Lincoln.....	1.31½
Cumberland.....	1.27	Grant.....	1.04	Loudon.....	1.30
Dauphin.....	1.28	Gregory.....	1.04	McMinn.....	1.31
Delaware.....	1.28	Hankon.....	1.10	McNairy.....	1.25
Elk.....	1.24	Hamlin.....	1.03	Macon.....	1.24
Erie.....	1.20	Hand.....	1.02½	Madison.....	1.23
Fayette.....	1.22	Harding.....	1.15	Marion.....	1.32
Forest.....	1.22	Hughes.....	1.06	Marshall.....	1.29
Franklin.....	1.26	Hyde.....	1.04½	Maury.....	1.28
Fulton.....	1.25	Jackson.....	1.10	Meigs.....	1.31
Greene.....	1.20	Jerauld.....	1.02	Monroe.....	1.31
Huntingdon.....	1.25	Jones.....	1.08	Montgomery.....	1.22
Indiana.....	1.23	Lawrence.....	1.15	Moore.....	1.30
Jefferson.....	1.23	Lyman.....	1.05½	Morgan.....	1.28
Juniata.....	1.26	McPherson.....	1.06	Oblon.....	1.22
Lackawanna.....	1.28	Marshall.....	1.05	Overton.....	1.20

State and County	Price per bushel
Tennessee—Continued.	
Perry	\$1.26
Pickett	1.25
Polk	1.33
Putnam	1.27
Rhea	1.31
Roane	1.30
Robertson	1.23
Rutherford	1.27
Scott	1.26
Sequatchie	1.31
Sevier	1.30
Shelby	1.23
Smith	1.26
Stewart	1.21
Sullivan	1.29
Sumner	1.24
Tipton	1.23
Trousdale	1.25
Unicoi	1.29
Union	1.27
Van Buren	1.29
Warren	1.29
Washington	1.29
Wayne	1.28
Weakley	1.20
White	1.28
Williamson	1.26
Wilson	1.26
Texas:	
Anderson	1.26½
Andrews	1.34
Angelina	1.28
Aransas	1.28
Archer	1.25
Armstrong	1.27
Atascosa	1.30
Austin	1.28
Bailey	1.32
Bandera	1.30
Bastrop	1.28
Baylor	1.25
Bee	1.28
Bell	1.26½
Bexar	1.28
Blanco	1.28
Borden	1.30
Bosque	1.26½
Bowie	1.25
Brazoria	1.28
Brazos	1.28
Brewster	1.36
Briscoe	1.28
Brooks	1.33
Brown	1.26½
Burleson	1.28
Burnet	1.28
Caldwell	1.28
Calhoun	1.28
Callahan	1.26½
Cameron	1.35
Camp	1.25
Carson	1.25½
Cass	1.25
Castro	1.29
Chambers	1.28
Cherokee	1.26½
Childress	1.25
Clay	1.25
Cochran	1.33
Coke	1.28
Coleman	1.28
Collin	1.25
Collingsworth	1.25
Colorado	1.28
Comal	1.28
Commanche	1.26½
Concho	1.28
Cooke	1.25
Coryell	1.26½
Cottle	1.26½
Crane	1.34
Crockett	1.32
Crosby	1.30
Culberson	1.36
Dallam	1.24½
Dallas	1.25

State and County	Price per bushel
Texas—Continued.	
Dawson	\$1.32
Deaf Smith	1.23
Delta	1.25
Denton	1.25
De Witt	1.23
Dickens	1.23
Dimmit	1.34
Donley	1.23
Duval	1.32
Eastland	1.26½
Ector	1.34
Edwards	1.32
Ellis	1.26½
El Paso	1.37
Erath	1.26½
Falls	1.26½
Fannin	1.25
Fayette	1.23
Fisher	1.26½
Floyd	1.30
Foard	1.25½
Fort Bend	1.23
Franklin	1.25
Freestone	1.26½
Frio	1.33
Gaines	1.34
Galveston	1.23
Garza	1.30
Gillespie	1.30
Glasscock	1.32
Goliad	1.23
Gonzales	1.28
Gray	1.24
Grayson	1.25
Gregg	1.25
Grimes	1.23
Guadalupe	1.28
Hale	1.30
Hall	1.26
Hamilton	1.26½
Hansford	1.23
Hardeman	1.25
Hardin	1.23
Harris	1.23
Harrison	1.25
Hartley	1.23
Haskell	1.26½
Hays	1.23
Hemphill	1.23
Henderson	1.26½
Hidalgo	1.35
Hill	1.26½
Hockley	1.32
Hood	1.26½
Hopkins	1.25
Houston	1.23
Howard	1.30
Hudspeth	1.37
Hunt	1.25
Hutchinson	1.24
Irion	1.30
Jack	1.25
Jackson	1.23
Jasper	1.23
Jefferson	1.23
Jeff Davis	1.36
Jim Hogg	1.34
Jim Wells	1.30
Johnson	1.26½
Jones	1.26½
Karnes	1.23
Kaufman	1.25
Kendall	1.30
Kenedy	1.33
Kent	1.23
Kerr	1.30
Kimble	1.30
King	1.26½
Kinney	1.34
Kleberg	1.32
Knox	1.25½
Lamar	1.25
Lamb	1.30
Lampasas	1.26½
La Salle	1.33
Lavaca	1.23

State and County	Price per bushel
Texas—Continued.	
Lee	\$1.23
Leon	1.26½
Liberty	1.23
Limestone	1.26½
Lipscomb	1.21½
Live Oak	1.29
Llano	1.23
Loving	1.34
Lubbock	1.31½
Lynn	1.32
McCulloch	1.23
McLennan	1.26½
McMullen	1.30
Madison	1.23
Marion	1.25
Martin	1.32
Mason	1.23
Matagorda	1.23
Maverick	1.34
Medina	1.30
Menard	1.23
Midland	1.32
Millam	1.23
Mills	1.26½
Mitchell	1.23
Montague	1.25
Montgomery	1.23
Moore	1.24½
Morris	1.25
Motley	1.23
Nacogdoches	1.26½
Navarro	1.26½
Newton	1.23
Nolan	1.26½
Nueces	1.30
Ochiltree	1.21½
Oldham	1.27½
Orange	1.23
Palo Pinto	1.25
Panola	1.26½
Parker	1.25
Parmer	1.30
Pecos	1.34
Folk	1.23
Potter	1.26
Presidio	1.36
Rains	1.25
Randall	1.27½
Reagan	1.32
Real	1.32
Red River	1.25
Reeves	1.35
Rufolo	1.23
Roberta	1.23
Robertson	1.26½
Rockwell	1.25
Runnels	1.23
Rusk	1.26½
Sabine	1.23
San Augustine	1.23
San Jacinto	1.23
San Patricio	1.23
San Saba	1.23
Schleicher	1.30
Scurry	1.23
Shackelford	1.26½
Shelby	1.25½
Sherman	1.23
Smith	1.25
Somervell	1.26½
Starr	1.35
Stephens	1.26½
Sterling	1.30
Stonewall	1.23
Sutton	1.32
Swisher	1.23
Tarrant	1.25
Taylor	1.26½
Terrell	1.34
Terry	1.33
Throckmorton	1.25½
Titus	1.25
Tom Green	1.23
Travis	1.23
Trinity	1.23
Tyler	1.23

State and County	Price per bushel	State and County	Price per bushel	State and County	Price per bushel
Texas—Continued.		Virginia—Continued.		West Virginia—Continued.	
Upshur	\$1.25	Madison	\$1.28	Putnam	\$1.10
Upton	1.32	Mathews	1.28	Raleigh	1.23
Uvalde	1.33	Mecklenburg	1.31	Randolph	1.25
Val Verde	1.34	Middlesex	1.28	Ritchie	1.19
Van Zandt	1.25	Montgomery	1.30	Roane	1.10
Victoria	1.28	Nansemond	1.31	Summers	1.25
Walker	1.28	Nelson	1.28	Taylor	1.23
Waller	1.28	New Kent	1.28	Tucker	1.25
Ward	1.34	Norfolk	1.31	Tyler	1.19
Washington	1.28	Northampton	1.28	Upshur	1.24
Webb	1.33	Northumberland	1.28	Wayne	1.18
Wharton	1.28	Nottoway	1.30	Webster	1.25
Wheeler	1.23½	Orange	1.23	Wetzel	1.20
Wichita	1.25	Page	1.28	Wirt	1.18
Wilbarger	1.25	Patrick	1.31	Wood	1.17
Willacy	1.34	Pittsylvania	1.31	Wyoming	1.23
Williamson	1.28	Powhatan	1.28	Wisconsin:	
Wilson	1.28	Prince Edward	1.30	Adams	1.10
Winkler	1.34	Prince George	1.30	Ashland	1.13
Wise	1.25	Princess Anne	1.31	Barron	1.09½
Wood	1.25	Prince William	1.27	Bayfield	1.13
Yoakum	1.34	Pulaski	1.29	Brown	1.13
Young	1.25	Rappahannock	1.28	Buffalo	1.06
Zapata	1.34	Richmond	1.28	Burnett	1.11
Zavala	1.34	Roanoke	1.30	Calumet	1.12
Utah:		Rockbridge	1.28	Chippewa	1.08
All counties	1.37	Rockingham	1.28	Clark	1.10
Vermont:		Russell	1.25	Columbia	1.10
All counties	1.32	Scott	1.26	Crawford	1.07
Virginia:		Shenandoah	1.28	Dane	1.10
Accomac	1.28	Smyth	1.27	Dodge	1.10
Albemarle	1.28	Southampton	1.31	Door	1.15
Alleghany	1.28	Spotsylvania	1.28	Douglas	1.13
Amelia	1.30	Stafford	1.27	Dunn	1.08
Anne Arundel	1.28	Sturges	1.30	Eau Claire	1.08
Appomattox	1.30	Sussex	1.30	Florence	1.15
Arlington	1.27	Tazewell	1.25	Fond du Lac	1.11
Augusta	1.28	Warren	1.28	Forest	1.15
Bath	1.28	Warwick	1.28	Grant	1.07
Bedford	1.30	Washington	1.27	Green	1.09
Bland	1.27	Westmoreland	1.28	Green Lake	1.11
Botetourt	1.28	Wise	1.25	Iowa	1.09
Brunswick	1.31	Wythe	1.27	Iron	1.13
Buchanan	1.24	York	1.28	Jackson	1.08
Buckingham	1.28	Washington:		Jefferson	1.10
Campbell	1.30	All counties	1.42	Juneau	1.09
Caroline	1.28	West Virginia:		Kenosha	1.12
Carroll	1.30	Barbour	1.24	Kewaunee	1.14
Charles City	1.28	Berkeley	1.26	La Crosse	1.06
Charlotte	1.30	Boone	1.21	Lafayette	1.08½
Chesterfield	1.28	Braxton	1.23	Langlade	1.13
Clarke	1.27	Brooks	1.20	Lincoln	1.12
Craig	1.28	Cabell	1.17	Manitowoc	1.13
Culpeper	1.28	Calhoun	1.19	Marathon	1.11
Cumberland	1.28	Clay	1.21	Marquette	1.16
Dickenson	1.24	Doddridge	1.20	Marquette	1.11
Dinwiddie	1.30	Fayette	1.23	Milwaukee	1.12
Elizabeth City	1.28	Gilmer	1.21	Monroe	1.08
Essex	1.28	Grant	1.26	Oconto	1.15
Fairfax	1.27	Greenbrier	1.25½	Onondaga	1.13
Fauquier	1.28	Hampshire	1.26	Outagamie	1.12
Floyd	1.30	Hancock	1.20	Osaukee	1.12
Fluvanna	1.28	Hardy	1.27	Pépin	1.06
Franklin	1.30	Harrison	1.22	Pierce	1.06
Frederick	1.27	Jackson	1.17	Polk	1.09
Giles	1.28	Jefferson	1.26	Portage	1.11
Gloucester	1.28	Kanawha	1.20	Price	1.11½
Goochland	1.28	Lewis	1.22	Racine	1.12
Grayson	1.29	Lincoln	1.19	Richland	1.08
Greene	1.27	Logan	1.21	Rock	1.09
Greensville	1.31	McDowell	1.24	Rusk	1.10½
Halifax	1.31	Marion	1.22	Saint Croix	1.07½
Hanover	1.28	Marshall	1.20	Sauk	1.09
Henrico	1.28	Mason	1.17	Sawyer	1.11½
Henry	1.31	Mercer	1.26	Shawano	1.13
Highland	1.28	Mineral	1.26	Sheboygan	1.12
Isle of Wight	1.30	Mingo	1.20	Taylor	1.10
James City	1.28	Monongalia	1.23	Trempealeau	1.06
King and Queen	1.28	Monroe	1.26	Vernon	1.06
King George	1.27	Morgan	1.26	Vilas	1.15
King William	1.28	Nicholas	1.23	Walworth	1.10
Lancaster	1.28	Ohio	1.20	Washburn	1.11
Lee	1.25	Pendleton	1.27	Washington	1.10
Loudoun	1.27	Pleasants	1.18	Waukesha	1.10
Louisa	1.28	Pocahontas	1.27	Waupaca	1.12
Lunenburg	1.30	Preston	1.24	Waushara	1.11



State and County	Price per bushel
Wisconsin—Continued.	
Winnebago.....	\$1.11
Wood.....	1.10
Wyoming:	
Albany.....	1.22
Big Horn.....	1.25
Campbell.....	1.20
Carbon.....	1.25
Converse.....	1.22
Crook.....	1.18
Fremont.....	1.27
Goshen.....	1.20
Hot Springs.....	1.27
Johnson.....	1.22
Laramie.....	1.20
Lincoln.....	1.37
Natrona.....	1.22
Niobrara.....	1.18
Park.....	1.22
Platte.....	1.22
Sheridan.....	1.22
Sublette.....	1.32
Sweetwater.....	1.32
Teton.....	1.32
Uinta.....	1.37
Washakie.....	1.25
Weston.....	1.16

(f) *Discounts for quality.* The formula price per bushel, bulk, shelled, for any grade of yellow or mixed corn other than No. 1 or No. 2 shall be determined by deducting the following discounts from the appropriate foregoing formula price for No. 1 and No. 2.

(1) For lower grades determined by factors other than moisture content:

Discount per bushel

	Cents
No. 3.....	½
No. 4.....	1
No. 5.....	1½
Sample.....	2

(2) For moisture content in excess of 15½ percent.

Discount per bushel for each ½ percent (or fraction thereof) of moisture content

Moisture content:	Cent
Over 15½ percent and under 17½ per cent.....	½
Over 17½ per cent and under 20 per cent.....	¾
Over 20 percent.....	1

(3) The discounts set forth in this paragraph (f) shall be cumulative.

(g) *Formula prices for white corn.* The formula price per bushel, bulk, shelled, for white corn shall be the formula price for a corresponding grade and quality of yellow or mixed corn plus 15 cents per bushel.

(h) *Formula prices for certain mixed grain.* The formula price for mixed grain (as defined in the Official Grain Standards of the United States) containing 50 percent or more of corn shall be determined at each terminal city and interior point by multiplying the percentage of each such grain in the mixture by the appropriate maximum price thereof at said point or, if there is no such maximum price for a particular grain, by the reasonable market value thereof at said city or point and adding the results.

This regulation shall become effective December 6, 1943.

Issued this 4th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19490; Filed, December 6, 1943; 11:47 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14<sup>1</sup> to GMPR,<sup>2</sup> Amdt. 64]

### MODIFICATIONS OF MAXIMUM PRICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Revised Supplementary Regulation No. 14 is amended in the following respects:

1. The list of points of production and maximum prices in section 4.4 (a) (1) (i) is amended so as to include a new point of production and maximum price to read as follows:

Hagerstown, Maryland..... \$0.68.

2. The price for Shreveport, Louisiana, as set out in Area 3 in section 4.4 (a) (1) (ii) is changed to \$0.70.

3. Section 4.4 (b) (2) (i) is amended to read as follows:

(i) 70 cents for any producing point in Montana, and 74 cents for any producing point in Tennessee.

This amendment shall become effective December 7, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9323, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19570; Filed, December 7, 1943; 4:36 p. m.]

## PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,<sup>2</sup> Amdt. 19]

### CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 306 is amended in the following respects:

1. Section 1341.553 (a) (7) (8) and (9) are added as follows:

Item	Section	Appendix
(7) Brined cherries.....	1341.553	A
(8) Maraschino and glace (drained) cherries.....	1341.553	A
(9) Dried prunes in juice and -prune products.....	1341.553	A

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 9787, 9880, 10432, 10560, 10433, 10668, 10731, 10759, 10763, 10939, 10674, 10984, 10758, 11174, 11182, 11247, 11479, 11572, 11873, 11754, 12325, 12406, 12139, 12550, 12633, 12557, 12710, 12669, 12950, 13059, 13171, 13180, 13257, 13846.

<sup>2</sup> 8 F.R. 3096, 3849, 4347, 4480, 4724, 4987, 4848, 6047, 6962, 8511, 9025, 9991, 11955.

<sup>3</sup> 8 F.R. 1114, 1313, 2921, 3732, 3853, 4179, 4633, 4840, 6017, 10304, 10558, 10725, 10824, 10986, 11247, 11298, 11806, 12791, 13707.

2. Section 1341.553 (b) (11) and (12) are added as follows:

Item	Section	Appendix
(11) Sweet potatoes.....	1341.554	B
(12) Mushrooms.....	1341.554	B

3. Section 1341.556 is added to read as follows:

§ 1341.556 *Exempt sales.* The following sales shall be exempt from the provisions of this regulation: Sales by processors of home packed foods when the aggregate of sales during the calendar year 1943 does not exceed 1500 quarts (or an equivalent amount in other container sizes) packed during the calendar year 1943.

4. Section 1341.557 is amended to read as follows:

§ 1341.557 *Maximum prices for new container types or sizes.* (a) The maximum price per dozen or other unit for any commodity covered by this regulation which is packed in any container type or size which the processor did not sell during the base period applicable to the particular commodity and for which no maximum price or particular method of establishing a maximum price is provided by the Appendix covering such commodity shall be figured by the processor as follows: He shall:

(1) *Determine the base container.* If the processor sold the same product (that is the same kind, grade, brand and style of pack) during the applicable base period, but only in other container types or sizes, he shall first determine the most similar container type for which he is able to calculate a maximum price for that product under this regulation (even though he no longer packs or sells that container type). From that container type he shall choose the nearest size which is 50% or less larger than the new size, or if there is no such size, 50% or less smaller (even though he no longer packs or sells those sizes). This will be the "base container". If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the processor is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will, of course, be the same container type. This also is true in the reverse situation; where there has been a change only in container types, the "nearest size" will be the same size.

(2) *Find the base price.* The processor shall take as the "base price" his maximum price under this regulation for the product when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the processor's shipping point, the processor shall first convert it to a base price f. o. b. factory by deducting whatever transportation charges were included in it.

(3) *Deduct the container cost.* Taking his base price f. o. b. shipping point, the processor shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the processor's plant, of the container, cap, label and proportionate part of the outgoing shipping carton but does not include cost of filling, closing, labeling or packing.

(4) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of ounces or other units in the new container.

(5) *Add the new container cost to get the price f. o. b. shipping point.* Next, the processor shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. shipping point price, the resulting figure is the processor's maximum price, f. o. b. shipping point.

(6) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the processor's maximum price for the product in the base container is a delivered price, he shall figure transportation charges to be added as follows: The processor shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the product in the new container will move under a different freight tariff classification, the processor shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for the freight classification on March 17, 1942. Increases in tariff rates or transportation taxes made since March 17, 1942, shall not be taken into account (similar principles shall apply where shipping volume is the measure of the transportation charge). The processor shall then add these transportation charges to his f. o. b. shipping point price for the commodity in the new container. The resulting figure is the processor's maximum delivered price.

5. Section 1341.563 is amended to read as follows:

§ 1341.563 *Specific authorizations of maximum prices.* (a) If the processor is unable to establish a maximum price pursuant to the applicable pricing provisions of this regulation for any item, his maximum price shall be a price authorized by the Office of Price Administration, Washington, D. C. Such authorization may be obtained on application to the Office of Price Administration. His application shall set forth:

(1) A description in detail of the item for which a maximum price is requested including its grade, size, container type, style of pack and any other relevant factors.

(2) A statement of the facts which differentiate the item for which such authorized price is requested from the most similar item for which he has established a maximum price pursuant to this regulation, identifying the similar item and stating its maximum price.

(3) An itemized current cost breakdown of the item to be priced, showing separately, according to his own system of accounts or regularly prepared operating statements, all major component cost factors (e. g. direct costs—raw materials, packaging materials and direct labor; indirect costs, such as indirect labor, factory overhead and selling, advertising and administrative cost, together with an explanation showing the method of allocation of the indirect cost factors; and freight if sold on a delivered basis) indicating whether each cost item is an actual or an estimated cost, and the identical current cost breakdown of the most closely comparable food commodity which contributes substantially to his total volume of business.

(4) The desired selling price for the item including a statement showing the necessity for the desired selling price, any discounts or allowances which should be made applicable to the desired price, and (for comparison) the maximum selling price, with discounts and allowances, for the second commodity included in paragraph (4) of this section.

(5) A statement of the method of distribution to be employed by the processor in marketing the new commodity (i. e. whether it is to be sold to wholesalers, retailers, consumers or other classes of purchasers). Upon receipt of such an application the Office of Price Administration will authorize the maximum price or a method of determining the maximum price for the applicant or for the sellers of the item generally including purchases for resale or for a class of such resellers. Separate maximum prices will be established for government sales.

Until a maximum price is authorized, the applicant may deliver the item but he may not render an invoice for it or receive payment.

Where any cost factor set forth in the application is an estimated amount, the processor shall file with the Office of Price Administration, Washington, D. C. within six months, but not earlier than three months after his maximum price has been authorized, a statement showing the actual cost of that factor in his production of the item prior to the filing date of such statements.

6. Section 1341.558 is added to read as follows:

§ 1341.558 *When a maximum price under this regulation is established.* On and after December 14, 1943, a price figured for any item becomes "established" (that is, fixed) as the processor's maximum price as soon as he has either filed the price or disclosed it to any prospective customer, whether by sale, delivery, offer, or notice of any kind, provided that the figured price is not higher than the applicable pricing method allows. A maximum price for any item may be established only once, and it may not be

changed by the seller except (a) with the written permission of the District Office of the Office of Price Administration for the area in which he is located in cases where the processor has figured his maximum price lower than the applicable pricing method allowed, or (b) in cases where a change in the regulation changes the processor's applicable pricing method.

If the processor is disclosing a price lower than the one he figured, he may establish the higher (figured) price as his maximum price at the time of disclosure only by recording it and naming it as such, in ink, in his books before he discloses the lower price. A seller who has not figured a price for an item, or has figured a price higher than the applicable pricing method allows, may not sell the item until he has established the maximum price for the item in accordance with the rules of this section.

7. In § 1341.583 (b) the first sentence of subparagraph (1) is amended to read as follows:

(1) The miscellaneous packed fruits covered in paragraph (b) are listed below and include the packed juices and nectars of such fruits.

8. In § 1341.583 (b) (1) the item "Cherries (except red sour)" in the list of miscellaneous fruits is amended to read "Cherries [except red sour, cocktail, brined, maraschino and glace (drained)]".

9. In the table in § 1341.583 (b) (2) (ii) the item "Cherries, (except red sour)" is amended to read "Cherries [except red sour, cocktail, brined, maraschino and glace (drained)]".

10. In § 1341.583 (b) the first sentence of subparagraph (3) is amended to read as follows: The processor's maximum price per dozen containers, f. o. b. factory, for sales of packed freestone peaches to government agencies shall be computed by the processor by adjusting his maximum price per dozen containers f. o. b. factory for the 1943 pack of the same style, grade and container of the item as follows:

11. Section 1341.583 (b) (6) is amended to read as follows:

(6) In the event that a processor cannot establish his maximum price under the provisions of this regulation, he shall apply to the Office of Price Administration, Washington, D. C. for authorization of a maximum price, as provided in § 1341.563.

12. Section 1341.583 (d) (2) is amended to read as follows:

(2) In the event that a processor cannot establish his maximum price under the provisions of this regulation, he shall apply to the Office of Price Administration, Washington, D. C. for authorization of the maximum price, as provided in § 1341.563.

13. Section 1341.583 (e) (2) is amended to read as follows:

(2) In the event that a processor cannot establish his maximum price under the provisions of this regulation, he shall apply to the Office of Price Administra-

tion, Washington, D. C. for authorization of a maximum price, as provided in § 1341.563.

14. Section 1341.583 (f) (2) is amended to read as follows:

(2) In the event that a processor cannot establish his maximum price under the provisions of this regulation, he shall apply to the Office of Price Administration, Washington, D. C. for authorization of a maximum price, as provided in § 1341.563.

15. Section 1341.583 (g), (h) and (i) are added to read as follows:

(g) *Brined cherries.* (1) The processor's maximum price per dozen containers or other unit of sale of brined cherries, f. o. b. factory, for sales other than to government procurement agencies, shall be figured by the processor as follows: He shall:

(i) Determine the weighted average price per dozen containers or other unit of sale of brined cherries processed from cherries of the 1941 crop charged by the processor, f. o. b. factory, for the same variety, style, grade, size and container during the first 60 days after the beginning of the 1941 pack. "Weighted average price" shall be the total gross sales dollars charged for each variety, style, grade, size and container divided by the number of dozens of containers or other units of sale sold of such variety, style, grade, size and container. All sales contracts made in the regular course of business during the base period (first 60 days after the beginning of the 1941 pack) shall be included, regardless of the date of delivery, except sales contracts made with the United States. Sales contracts made at times other than during the base period shall not be included, even though delivery was made during the period.

(ii) Multiply the weighted average price by 1.10.

(iii) Subtract from the figure so obtained the 1941 raw fruit cost per dozen containers or other unit of sale. To determine the 1941 raw cherry cost per dozen containers or other unit of sale, the processor shall:

(a) Figure the weighted average cost for the raw cherries of the 1941 crop by dividing the total amount paid for the 1941 crop of fruit used in processing brined cherries by the total number of tons purchased and used for this purpose; and

(b) Divide the figure so obtained by the same dozen container yield (for the container size being priced) or other unit of sale yield per ton as was obtained by him for the same item during 1941. The figure obtained by this division is the 1941 raw cherry cost per dozen containers or other unit of sale being priced.

(iv) Add to the difference obtained by making the subtraction under paragraph (iii), the 1942 raw cherry cost per dozen containers or other unit of sale. To determine his 1942 raw cherry cost per dozen containers or other unit of sale, the processor shall:

(a) Figure the weighted average cost for the 1942 crop of cherries by dividing

the total amount paid for not less than the first 75% of his purchases of cherries of the 1942 crop used in processing brined cherries by the total number of tons purchased and used for this purpose. However, in no event shall the increase in the cost of raw cherries for the 1942 pack over the cost for the 1941 pack be in excess of \$56.00 per ton.

(b) Divide the figure so obtained by the dozen container yield (for the container size being priced) or other unit-of-sale yield per ton as was obtained by him for the same item during 1941. The figure obtained by this division is the 1942 raw cherry cost per dozen containers or other units of sale being priced.

(v) Add to the figure obtained by making the addition under subparagraph (iv) the difference between the 1943 raw cherry cost per dozen containers or other unit of sale and the 1942 raw cherry cost per same unit of sale. The 1943 raw cherry cost per dozen containers or other unit of sale shall be determined by the processor in the same manner as set forth in paragraphs (iv) (a) and (iv) (b) for determining the 1942 raw cherry cost, per dozen containers or other unit of sale. However, in no event shall the increase in the cost of raw cherries for the 1943 pack over the cost of raw cherries of the 1942 pack be in excess of \$40 per ton.

The resulting figure in (v) shall be the processor's maximum price per dozen containers or other units of sale being priced for brined cherries of the 1943 crop, f. o. b. factory, for sales to purchasers other than government procurement agencies.

(2) Where the processor did not pack and sell the same variety, style, grade, size and container of brined cherries during the 1941 base period, the maximum price of his closest competitive seller for the same variety, style, size and container of brined cherries of the 1943 pack shall be the processor's maximum price.

(3) In the event that a processor cannot establish his maximum price under the provisions of this regulation, he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price, as provided in § 1341.563.

(4) The processor's maximum prices per dozen containers, or other unit of sale of brined cherries, f. o. b. factory, for sales to government procurement agencies shall be 96% of the maximum price for sales to purchasers other than government procurement agencies, as established under paragraph (v).

(5) "Brined cherries" means cherries packed in a solution of sulfurous acid.

(h) *Maraschino and glace (drained) cherries.* (1) The processor's maximum price per dozen containers or other unit of sale of maraschino and glace (drained) cherries, f. o. b. factory, for sales to a class of purchasers other than a government procurement agency, shall be figured as follows. He shall:

(i) Subtract from his maximum price per dozen containers or other unit of sale, to the same class of purchasers as established under section 2 (a) of the General Maximum Price Regulation the

1942 weighted average cost of brined cherries per dozen containers or other unit of sale. Processors who determined maximum prices for the cherry items listed in Maximum Price Regulation No. 262 (defined in § 1351.965 of that regulation as "fountain fruits", e. g. cherries, whole; cherries, sliced; cherries, crushed; cherries, maraschino in containers of 28 fluid ounces or larger), under the applicable provisions of that regulation, shall figure new maximum prices for such items under the provisions of this paragraph by reference to their maximum prices previously established under the General Maximum Price Regulation. These prices supersede the prices established under the General Maximum Price Regulation and Maximum Price Regulation 262. To determine the 1942 brined cherry cost per dozen containers or other unit of sale, the processor shall:

(a) Figure the weighted average delivered cost for brined cherries purchased and used in processing maraschino and glace (drained) cherries during the period January 1, to March 31, 1942, by dividing the total amount paid for brined cherries purchased and used for such purpose during this period by the total number of tons or other units so purchased; and

(b) Divide the figure so obtained by the dozen container yield (for the container size being priced) or other unit yield per ton or other unit purchased as was obtained by him for the item during the period January 1, to March 31, 1942. The figure obtained by this division is the 1942 brined cherry cost per dozen containers or other unit of sale being priced.

(ii) Add to the difference figured by making the subtraction under paragraph (i) the 1943 brined cherry cost per dozen containers or other unit of sale. To determine his 1943 brined cherry cost per dozen containers or other unit of sale, the purchaser shall:

(a) Figure the 1943 delivered cost of brined cherries purchased and used in processing maraschino and glace (drained) cherries by taking the customary supplier's maximum price, f. o. b. factory for each grade of brined cherries used in processing maraschino and glace (drained) cherries as determined under this regulation, plus incoming freight; and

(b) Divide the figure so obtained by the dozen container yield (for the container size being priced) or other unit of sale, per ton or other unit purchased as was obtained by him during the period January 1 to March 31, 1942. The figure obtained by this division is the 1943 brined cherry cost per dozen containers or other unit of sale being priced.

The resulting figure in paragraph (ii) shall be the processor's maximum price per dozen containers or other unit of sale for maraschino and glace (drained) cherries of the 1943 crop, f. o. b. factory, for sales to that class of purchasers.

(2) Where the processor did not deliver or offer to deliver the item during March 1942 to a purchaser of the same class, and he is unable to price under § 1341.557 the maximum price of his

closest competitive seller of maraschino and glace (drained) cherries of the 1943 pack, shall be the processor's maximum price.

(3) In the event that a processor cannot establish his maximum price under the provisions of this regulation, he shall apply to the Office of Price Administration, Washington, D. C. for authorization of a maximum price, as provided in § 1341.563.

(4) The processor's maximum price per dozen containers, or other unit of sale of maraschino and glace (drained) cherries f. o. b. factory for sales to government procurement agencies shall be 96% of the maximum prices for sales to purchasers other than government procurement agencies as established under paragraph (ii).

(i) *Dried prunes in juice and prune products*—(1) *General*. The prune products covered in this paragraph (i) are listed below:

Dried prunes in juice or syrup.  
Prune juice.  
Prune concentrate.  
Other prune products.

"Prune products" means products made from materials which consist of dried prunes or prune concentrate to the extent of ninety percent or more, not including any water or sugar syrup. The term shall apply only to dried prunes which have been substantially changed in form and shall not include products which have been further processed only by such operations as pitting, slicing or crushing.

"Prune concentrate" means the concentrated juice of dried prunes.

(2) *Maximum prices for prune concentrate*. The processor's maximum price per dozen containers or other unit of sale, f. o. b. factory, for each kind, grade and container size of prune concentrate manufactured from dried prunes of the 1943 crop, for sales to purchasers other than government procurement agencies, shall be figured by the processor as follows: He shall

(i) Subtract from his maximum price per dozen containers or other unit of sale, f. o. b. factory, as established under Maximum Price Regulation No. 185, the total 1942 delivered prune cost per dozen containers or other unit of sale, used in producing such unit, as figured under MPR 185.

(ii) Add to the figure so obtained the 1943 dried prune cost per dozen containers or other unit of sale. To determine the 1943 dried prune cost per dozen containers or other unit of sale, the processor shall:

(a) Figure the weighted average delivered cost for dried prunes of the 1943 crop, of the grade and size used in manufacturing the prune concentrate, by dividing the total amount paid for the 1943 crop of prunes by the number of tons or other units purchased and used for this purpose. However, in no event shall the 1943 dried prune cost exceed the Commodity Credit Corporation's resale price of dried prunes to the processor for the growing area where the prunes are produced.

(b) Divide the figure so obtained by the dozen container yield (for the container size being priced) or other unit of sale yield per ton, as was required to be used by him in computing his 1942 maximum price under Maximum Price Regulation No. 185.

The resulting figure in paragraph (ii) shall be the processor's maximum price per dozen containers, or other unit of sale being priced, for prune concentrate made from prunes of the 1943 crop, f. o. b. factory, for sales to purchasers other than government procurement agencies.

(3) *Maximum prices for prune juice, dried prunes in juice or syrup, and other prune products*. The processor's maximum price per dozen containers or other unit of sale, f. o. b. factory, for each kind, grade and container size of prune juice (made from either prune concentrate or dried prunes), dried prunes in juice or syrup, and other prune products manufactured from prunes of the 1943 crop, for sales to purchasers other than government procurement agencies, shall be figured by the processor as follows. He shall:

(i) Subtract from his maximum price per dozen containers or other unit of sale, f. o. b. factory, as established under Maximum Price Regulation No. 185 the total 1942 delivered cost of dried prunes, or prune concentrate, as the case may be, used in producing such unit, as figured under Maximum Price Regulation No. 185.

(ii) Add to the figure so obtained the 1943 dried prune or prune concentrate, as the case may be, cost per dozen containers or other unit of sale. To determine the 1943 dried prune or prune concentrate cost per dozen containers or other unit of sale, the processor shall:

(a) Figure the weighted average delivered cost for prune concentrate or dried prunes of the 1943 crop of the grade and size used in manufacturing the dried prunes in juice, prune juice or other prune products, by dividing the total amount paid for the 1943 crop of prunes or prune concentrate, as the case may be, by the number of tons or other units purchased and used for this purpose.

However, in no event shall the 1943 dried prune cost exceed the Commodity Credit Corporation's resale price of dried prunes to the processor for the growing areas where the prunes are produced. Where prune juice or other prune products are manufactured from prune concentrate purchased from others, the processor's 1943 cost for such item shall not exceed his supplier's maximum price as determined under this regulation, plus incoming freight.

(b) Divide the figure so obtained by the dozen container yield (for the container size being priced) or other unit of sale yield per ton or gallon, as the case may be, as was required to be used by him in computing his 1942 maximum price under Maximum Price Regulation No. 185.

The resulting figure in paragraph (ii) shall be the processor's maximum price per dozen containers, or other unit of

sale being priced, for prune juice (made from either prune concentrate or dried prunes), dried prunes in juice or syrup, and other prune products made from prunes of the 1943 crop, f. o. b. factory, for sales to purchasers other than government procurement agencies.

(4) Any processor who established a maximum price for his 1942 pack for any of the items listed in subparagraph (1), by the adoption of a competitor's maximum price, shall adopt the same competitor's maximum price for the 1943 pack of the same item.

(5) Where the same competitor does not pack such item in 1943 the processor shall establish his maximum price for such item by adopting his closest competitive seller's maximum price for the 1943 pack of the item.

(6) Where the processor did not pack the same variety, style, grade and container of any of the items listed in subparagraph (1), in March 1942, and is unable to determine a price under § 1341.557, the maximum price of his closest competitive seller for the same variety, style, grade and container of the 1943 pack of the same item shall be the processor's maximum price.

(7) In the event that a processor cannot establish his maximum price under the provisions of this regulation he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price, as provided in § 1341.563.

(8) The processor's maximum price per dozen containers, or other unit of sale of any of the items listed in subparagraph (1) for sales to government procurement agencies shall be figured as follows: He shall

(i) Multiply the resulting figure obtained in paragraphs (2) (i) or (3) (i), depending on the product being priced, by 96%.

(ii) Add the increased cost of dried prunes computed as follows:

(a) Determine the difference between the Commodity Credit Corporation's purchase price and resale price per ton of dried prunes of the 1943 crop, of the grade and size used in manufacturing the product, for the growing area where the prunes are produced.

(b) Divide that amount by the dozen container yield (for the container being priced) or other unit of sale yield per ton, as was required to be used by him in computing his 1942 maximum price under MPR 185. The resulting figure is the processor's increased cost of dried prunes per dozen containers or other unit of sale, which, when added to 96% of the maximum price for sales to purchasers other than to government procurement agencies, constitutes the maximum price for sales to government procurement agencies.

16. Section 1341.584 (j) and (k) are added to read as follows:

(j) *Sweet potatoes*. (1) The processor's maximum price per dozen containers, f. o. b. factory, for sales to purchasers other than government procurement agencies, of each kind, grade and container type and size of sweet potatoes

shall be figured by the processor as follows: He shall:

(i) Determine the weighted average price per dozen containers or other unit of sale of sweet potatoes charged by the processor, f. o. b. factory, for each grade and container size during the first 60 days after the beginning of the 1941 pack "Weighted average price" means the total gross sales dollars charged for each grade and container size divided by the number of dozen of containers or other units of sale sold of such grade and container. All sales contracts made in the regular course of business during the base period (first 60 days after the beginning of the 1941 pack) shall be included, regardless of the date of delivery, except sales contracts made with government procurement agencies. Sales made at times other than during the base period shall not be included even though delivery was made during the base period.

(ii) Multiply the weighted average price figured under (i) by 1.08.

(iii) Subtract from the weighted average price as adjusted under (ii) the 1941 raw sweet potato cost per dozen containers or other unit of sale. To determine the 1941 raw sweet potato cost per dozen containers or other unit of sale, the processor shall:

(a) Figure the weighted average cost of sweet potatoes of the 1941 crop delivered to the processor's customary receiving point, by dividing the total amount paid for sweet potatoes of the 1941 crop used in packing the commodity by the total number of bushels or other units purchased and used for this purpose.

(b) Divide the figure so obtained by the dozen container yield (for the container size being priced) as was obtained by him for the same item during the packing of the 1941 crop of sweet potatoes. The figure obtained by this division is the 1941 raw sweet potato cost per dozen containers or other unit of sale being priced.

(iv) Add to the difference figured by making the subtraction under paragraph (iii) the 1943 raw sweet potato cost per dozen containers or other unit of sale. To determine the 1943 raw sweet potato cost per dozen containers or other unit of sale, the processor shall:

(a) Figure the weighted average cost for sweet potatoes of the 1943 crop by dividing the total amount paid for not less than the first 75% of his purchases of sweet potatoes of the 1943 crop used in packing the commodity by the total number of bushels or other units purchased and used for this purpose. However, in no event shall the 1943 raw sweet potato cost exceed 90 cents per 50-pound bushel delivered at processor's customary receiving point; and

(b) Divide the figure so obtained by the dozen container yield (for the container size being priced) as was obtained by him for the same item during the packing of the 1941 crop of sweet potatoes. The figure obtained by this division is the 1943 raw sweet potato cost per dozen containers or other unit of sale being priced.

The resulting figure in paragraph (iv) shall be the processor's maximum price per dozen container or other unit of sale being priced for sweet potatoes of the 1943 crop, f. o. b. factory, for sales to purchasers other than government procurement agencies.

(2) Where the processor did not pack and sell the same grade and container of sweet potatoes during the base period, 1941, and is unable to determine a price under § 1341.557 the maximum price of his closest competitive seller for the same grade and container of sweet potatoes of the 1943 crop shall be the processor's maximum price.

(3) In the event that a processor cannot establish his maximum price under the provisions of this regulation he shall apply to the Office of Price Administration, Washington, D. C. for authorization of a maximum price as provided in § 1341.563.

(4) The processor's maximum price per dozen containers or other unit of sale of sweet potatoes, f. o. b. factory, for sales to government procurement agencies, shall be 96% of the maximum price for sales to purchasers other than government procurement agencies as established under paragraph (iv).

(k) *Mushrooms.* (1) The processor's maximum price per dozen containers, f. o. b. factory, for sales to purchasers other than government procurement agencies of each kind, grade, and container type and size of mushrooms of the 1943 fall crop or later shall be figured by the processor as follows. He shall:

(i) Determine the weighted average price per dozen containers or other unit of sale of mushrooms charged by the processor, f. o. b. factory, for each grade and container size during the period October 10 to December 10, 1941. "Weighted average price" means the total gross sales dollars charged for each kind, grade and container type and size divided by the number of dozen of containers or other units of sale, sold of such kind, grade and container type and size. All sales made in the regular course of business during the base period (October 10 to December 10, 1941) shall be included, regardless of the date of delivery, except sales contracts made with government procurement agencies. Sales made at times other than during the base period shall not be included even though delivery was made during the base period.

(ii) Multiply the weighted average price figured under (i) by 1.03.

(iii) Subtract from the weighted average price as adjusted under paragraph (ii) the 1941 raw mushroom cost per dozen containers or other unit of sale. To determine the 1941 raw mushroom cost per dozen containers or other unit of sale, the processor shall:

(a) Figure the weighted average cost of mushrooms for the year 1941 by dividing the total amount paid for mushrooms in 1941 used in packing the commodity by the total number of pounds or other units purchased and used for this purpose.

(b) Divide the figure so obtained by the dozen container yield (for the con-

tainer size being priced) as was obtained by him during 1941.

(iv) Add to the difference figured by making the subtraction under paragraph (iii) the 1943 fall crop raw mushroom cost per dozen containers. To determine the 1943 fall crop, raw mushroom cost per dozen containers or other unit of sale, the processor shall:

(a) Figure the weighted average cost of mushrooms of the 1943 fall crop, by dividing the total amount paid for mushrooms purchased and used in processing packed mushrooms during the first 15 days after the beginning of the 1943 fall pack, by the total number of pounds or other units purchased and used for such purpose. However, in no event shall the cost of the 1943 fall crop of raw mushrooms exceed \$1.50 per 3 pound basket.

(b) Divide the figure so obtained by the dozen container yield (for the container size being priced) as was obtained by him during 1941. The figure obtained by making this division is the 1943 fall crop, raw mushroom cost per dozen containers or other unit of sale being priced.

The resulting figure in paragraph (iv) shall be the processor's maximum price per dozen containers or other unit of sale being priced, for mushrooms of the 1943 fall crop or later, f. o. b. factory, for sales to other purchasers other than government procurement agencies.

(2) Where the processor did not pack and sell the same variety, style, grade and container during the 1941 base period set forth in paragraph (i), and is unable to determine a price under § 1341.557 the maximum price of his closest competitive seller for the same variety, style, grade and container of the 1943 fall pack shall be the processor's maximum price.

(3) In the event that a processor cannot establish his maximum price under the foregoing provisions of this regulation, he shall apply to the Office of Price Administration, Washington, D. C. for authorization of a maximum price, as provided in § 1341.563.

(4) The processor's maximum price per dozen containers, or other unit of sale of mushrooms, f. o. b. factory, for sales to government procurement agencies shall be 96% of the maximum price for sales other than to government procurement agencies as established under paragraph (iv).

17. Section 1341.534 (a) (4) (iv) and (v) are added to read as follows:

(iv) In blends of two sieve sizes of a variety and grade of peas, not more than 10 percent shall consist of peas larger than the largest sieve size declared in the blend, and not more than 2 percent shall consist of peas which are two or more sieve sizes larger than the largest sieve size declared in the blend.

(v) In blends of three sieve sizes of a variety and grade of peas, not more than 5 percent shall consist of peas larger than the largest sieve size declared in the blend, and not more than 1 percent shall consist of peas which are two or more sieve sizes larger than the largest sieve size declared in the blend.



18. Section 1341.584 (d) (5) (iv) and (v) are added to read as follows:

(iv) In blends of two sieve sizes of a variety and grade of snap beans, not more than 10 per cent shall consist of snap beans larger than the largest sieve size declared in the blend, and not more than 2 per cent shall consist of snap beans which are two or more sieve sizes larger than the largest sieve size declared in the blend.

(v) In blends of three sieve sizes of a variety and grade of snap beans, not more than 5 per cent shall consist of snap beans larger than the largest sieve size declared in the blend, and not more than 1 per cent shall consist of snap beans which are two or more sieve sizes larger than the largest sieve size declared in the blend.

19. In § 1341.584 (b) (5) (i) a paragraph is added after the table to read as follows:

In California only, a processor who is eligible under the contract with Commodity Credit Corporation may add one cent per dozen for No. 2 cans for each \$1.00 per ton paid by the processor for transporting tomatoes from roadside delivery point to his processing plant in those cases where Commodity Credit Corporation has allowed an increase in the Commodity Credit Corporation purchase price to cover such transportation cost incurred.

20. Section 1341.584 (f) (4) (b) (iii) is amended to read as follows:

(iii) If the processor cannot establish a maximum price for such variety, style, grade and size under the foregoing provisions of subparagraph (4), or § 1341.557, he shall apply to the Office of Price Administration, Washington, D. C. for authorization of a maximum price, as provided in § 1341.563.

21. Section 1341.584 (h) (5) is amended to read as follows:

(5) In the event that a processor cannot establish a maximum price for any grade or size of any such tomato products under the provisions of the regulation he shall apply to the Office of Price Administration, Washington, D. C. for authorization of a maximum price, as provided in § 1341.563.

22. The headnote and first two sentences of § 1341.585 are amended to read as follows:

§ 1341.585 *Appendix B: Maximum prices for certain miscellaneous packed vegetables.* The miscellaneous packed vegetables listed below include the packed juices of such vegetables. The miscellaneous packed vegetables covered in this section are as follows:

23. Section 1341.585 (c) (4) (iii) is amended to read as follows:

(iii) In the event that a processor cannot establish his maximum price under the provisions of the regulation, he shall apply to the Office of Price Administra-

tion, Washington, D. C. for authorization of a maximum price, as provided in § 1341.563.

24. In § 1341.587 (a) the first sentence of subparagraph (1) is amended to read as follows:

(1) The miscellaneous packed berries covered in paragraph (a) are listed below and include the packed juices of such berries.

25. Section 1341.587 (a) (5) is amended to read as follows:

(5) In the event that a processor cannot establish his maximum price under the provisions of this regulation, he shall apply to the Office of Price Administration, Washington, D. C. for authorization of a maximum price, as provided in § 1341.563.

26. The sentence immediately preceding the table of states in § 1341.586 (d) (1) is amended to read as follows:

(1) All miscellaneous vegetables set forth in Groups I, II, and III in § 1341.585 (a) and sweet potatoes set forth in § 1341.584 (j).

27. The headnote of § 1341.586 (d) (2) is amended by adding in alphabetical order the items "dried prunes in juice and prune products" and "brined cherries".

28. The table in § 1341.584 (a) (8) (i) is amended in the following respects:

a. In Region II under the column "Cents per dozen No. 2 Cans" the amount for the State of Arkansas is changed from \$.045 to \$.085 and for the State of Texas the amount is changed from \$.045 to \$.07. In Region IV under the same column the amount for the State of California is changed from \$.0675 to \$.09.

b. In Region IV the reference to the State of Washington is amended to read as follows:

	Cents per doz. No. 2 Cans
Washington (Skagit and Snohomish Counties).....	\$.15
Washington (balance of State).....	.095

31. The table in § 1341.584 (g) (1) is amended to read as follows:

Col. 1 Item No.	Col. 2 Grade	Col. 3 State or area	Col. 4 Container size		
			No. 2 cans	No. 2½ cans	No. 10 cans
1	A or fancy.....	All.....	\$.05	\$1.20	\$4.20
2	C or standard.....	All.....	.85	1.075	3.75
3	Below standard.....	All.....	.75	.95	3.30

32. The table in § 1341.584 (f) (1) is amended as to item No. 7 in Column 9 by changing the figure \$1.50 to read \$1.60.

33. Section 1341.584 (b) (6) is added to read as follows:

(6) In all regions, the maximum price f. o. b. factory for sales other than to government procurement agencies, for Fancy Whole Tomatoes shall be: In No. 2 cans, \$.075 per dozen, in No. 2½ cans, \$.11 per dozen, and in No. 10 cans, \$.375 per dozen higher than the maximum prices named for "Fancy" tomatoes.

29. The table in § 1341.584 (b) (5) (i) is amended with respect to the listings under Regions III and IV to read as follows:

Region and State	Cents per doz. No. 2 Cans
Region III:	
All States except Texas.....	\$.015
Texas (Webb, Duval, Jim Wells, Nueces, Zapata, Jim Hogg, Brooks, Kleberg, Kenedy, Starr, Willacy, Cameron, Hidalgo, Bowls, Red River, Lamar, Fannin, Hunt, Delta, Hopkins, Franklin, Titus, Morris, Cass, Marlon, Upshur, Wood, Rains, Kaufman, Van Zandt, Smith, Gregg, Harrison, Panola, Rusk, Henderson, Anderson, Cherokee, Shelby, Nacogdoches and Houston Counties).....	.11
Texas (balance of State, except counties listed above and counties listed under Texas in Region IV).....	.045
Region IV:	
All States except Idaho and Texas..	.075
Idaho (Boundary, Bonner, Kootenai, Benewah, Latah, Nez Perce, Lewis, Idaho, Clearwater and Shoshone Counties).....	.0675
Idaho (balance of State).....	.075
Texas (Sherman, Moore, Potter, Randall, Swisher, Hale, Lubbock, Lynn, Dawson, Martin, Midland, Upton, Crockett, Terrell, and all counties in Texas west thereof).....	.075

30. The table in § 1341.584 (d) (9) (i) is amended in the following respects:

a. In Region III the listing "Texas (balance of State)" is amended to read "Texas (balance of State except counties listed above and counties listed under Texas in Region V)".

b. In Region V, Texas is added to the listings therein to read as follows:

	Cents per doz. No. 2 cans
Region V:	
Texas (Sherman, Moore, Potter, Randall, Swisher, Hale, Lubbock, Lynn, Dawson, Martin, Midland, Upton, Crockett, Terrell, and all counties in Texas, west thereof).....	\$.11

34. The table in § 1341.583 (b) (2) (ii) is amended as to the item plums, to read as follows:

Raw fruit	State	Maxi- mum cost
Plums.....	California, Oregon, Washing- ton, Idaho and Utah, All other States.....	\$.55 (1)

<sup>1</sup> 1942 cost per ton as required to be computed under MPR 185.

35. The first paragraph of § 1341.562 (a) is amended to read as follows:

(a) *Primary distributors.* A "primary distributor" is a distributor, other than a wholesaler or retailer, who purchases all he sells (for his own account) of the kind and brand of packed food product being priced and who customarily receives shipment from the processor of at least 50% of his purchases in carload lots delivered to a warehouse not owned or controlled by any of his customers, for resale by him in less-than-carload lots.

36. In § 1341.562 (a) the undesignated paragraph beginning with the words "If the primary distributor handled" is amended to read as follows:

If the primary distributor handled the kind of packed food product being priced before April 28, 1942, but did not handle the particular brand, size or container type being priced before August 5, 1943, his maximum price for the new item shall be his "net delivered cost" (based on his first purchase of the item after August 4, 1943, direct from the processor) multiplied by a mark-up factor. The mark-up factor shall be secured by dividing his maximum price (as figured under the foregoing pricing method) for the most closely comparable item of that kind of packed food product already handled by him, by the net delivered cost to him of that item. He may apply this mark-up factor only when he is selling in less-than-carload lots, merchandise which he has actually warehoused.

"Net delivered cost" means the amount paid less all discounts except the discount for prompt payment, swell and label allowances, plus all transportation charges paid except local trucking and local unloading.

37. Section 1341.562 (b) is amended to read as follows:

(b) *Distributors who are not primary distributors, wholesalers, or retailers.* The maximum price for an item, f. o. b. shipping point, of a distributor who is not a processor, primary distributor, wholesaler or retailer shall be the maximum price of his supplier, f. o. b. shipping point, plus incoming freight paid by him.

A "distributor" is one who purchases all he sells (for his own account) of the kind and brand being priced and resells it without packing and processing any part of it.

38. Section 1341.569 (c) is added to read as follows:

(c) A processor who makes sales of any item covered by this regulation after December 13, 1943, shall preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect all of his existing records relating to his customary allowances, discounts and other price differentials.

39. Section 1341.570 is added to read as follows:

§ 1341.570 *Reports which processors must file.* Every processor shall file with the Office of Price Administration, Washington, D. C., a statement as to all proc-

essed fruits and vegetables covered by this regulation except (1) those items for which specific dollars-and-cents maximum prices are named, (2) or whose maximum prices are determined by taking a percentage of a specific dollars-and-cents maximum price, (3) or whose maximum prices are computed under § 1341.557 using as a base a flat dollars-and-cents maximum price. The statement for any item shall be filed on or before December 31, 1943 or within 20 days after the maximum price for it has been established in the manner explained in § 1351.558. The statement shall be submitted in duplicate on OPA Form 635-496 (Bureau of Budget No. 03-R-703).

40. Section 1341.586 (a) is amended in the following respects:

a. In the table under (1) thereof Wyoming is added in its alphabetical order to the list of states in Region III.

b. In the table under (2) thereof Wyoming is added in its alphabetical order to the list of states in Region IV.

c. In the table under (3) thereof Wyoming is added in its alphabetical order to the list of states in Region II.

d. In the table under (3) the reference to Idaho in Region II is amended to read "Idaho (portion of state not included in Region III)" and in Region III Idaho is added in alphabetical order to read as follows "Idaho (Southwestern-Washington, Payette, Gem, Canyon, Ada and Owyhee Counties)".

e. In the table under (4) the reference to Idaho in Region V is amended to read "Idaho (portion of that state not included in Region VI)", and in Region VI Idaho is added in its alphabetical order to read as follows: "Idaho (Southwestern-Washington, Payette, Gem, Canyon, Ada and Owyhee Counties)". In Region V Wyoming is added in its alphabetical order.

41. Section 1341.586 (b) is amended in the following respects:

a. In the table under (1) thereof, Wyoming is added in its alphabetical order to the list of states.

b. In the table under (2) Wyoming is added in its alphabetical order to the list of states beginning with Colorado.

c. In the table under (3) Wyoming is added in its alphabetical order to the list of states therein.

42. Section 1341.585 (c) is amended in the following respects:

a. In the first sentence of paragraph (c) the phrase "approved by the Office of Economic Stabilization" is amended to read "approved by the War Labor Board."

b. In the table under (1) Wyoming is added in its alphabetical order to the list of states beginning with California.

c. In the table under (2) Wyoming is added in its alphabetical order to the list of states beginning with California.

d. In the table under (4) Wyoming is added in its alphabetical order to the list of states therein.

43. Section 1341.586 (d) is amended in the following respects:

a. In the first sentence of paragraph (d) the phrase "approved by the Office

of Economic Stabilization" is amended to read "approved by the War Labor Board."

b. In the table under (1) Wyoming is added in its alphabetical order to the list of states therein.

c. In the table under (2) Wyoming is added in its alphabetical order to the list of states therein.

d. In the table under (3) Wyoming is added in its alphabetical order to the list of states therein.

44. Section 1341.553a is added to read as follows:

§ 1341.553a *Maximum prices for grower-processors (including grower owned cooperatives).* The maximum price of a grower processor (including a grower owned cooperative) for any product added to this regulation on or after October 9, 1943, shall be the 1943 maximum price of his closest competitive processor, who purchases all of the raw commodity used in manufacturing the product, unless a different pricing method is provided in the section dealing with such product.

This amendment shall become effective December 14, 1943.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; N.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-18625; Filed, December 8, 1943; 11:54 a. m.]

#### PART 1341—CANNED AND PRESERVED FOODS [EPR 409; Amdt. 7]

##### FROZEN FRUITS, BERRIES AND VEGETABLES (1943 PACK AND AFTER)

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Maximum Price Regulation No. 409 is amended in the following respects:

1. In the table in section 3 (b) (2) (ii) the item "Plums \_\_\_\_\_ \$55" is amended to read as follows:

##### Plums:

Oregon, Washington, California, Idaho and Utah \_\_\_\_\_ \$55  
(No adjustment for raw material costs may be made for plums grown in states other than Oregon, Washington, California, Idaho, and Utah.)

2. Section 4 (b) is amended to read as follows:

(b) *Wagon wholesalers.* A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers or to commercial, industrial or institutional users from an inventory

\*Copies may be obtained from the Office of Price Administration.

\*8 F.R. 5353, 9238, 11034, 11030, 11952.

stocked in trucks or other conveyances which are under the supervision of driver salesmen who make delivery at the time and place of sale. Such wholesaler is a wagon wholesaler only for sales made in this manner.

The maximum price per dozen or other unit which a wagon wholesaler may charge for an item of frozen fruits, berries or vegetables shall be his net delivered cost plus a markup of 29 per cent. He shall figure his maximum price on the basis of the most recent purchase of that item, and shall refigure it after each new purchase. The maximum price so figured is the wagon wholesaler's maximum price for his entire inventory of that item, and it is effective until his first sale after he receives the next lot.

"Net delivered cost" means the amount he pays for the item delivered to his customary receiving point (but not in excess of the packer's maximum price for it, f. o. b. shipping point, plus actual charges for transportation to the wagon wholesaler's customary receiving point), less all discounts allowed him except the discount for prompt payment. No expense of local trucking or unloading shall be included.

This amendment shall become effective December 14, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19626; Filed, December 8, 1943;  
11:53 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 285,<sup>1</sup> Amdt. 4]

##### IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 285 is amended in the following respects:

1. Section 1351.1252 (a) is amended by deleting the maximum price of \$5.50 per cwt., f. o. b. port of entry for bananas for Costa Rica, Panama, Guatemala and Honduras, and substituting therefor the maximum price of \$5.00 per cwt., f. o. b. port of entry, for bananas from the aforementioned countries of origin.

2. Section 1351.1252 (c) is amended to read as follows:

(c) The maximum price, per cwt., at which sales of any kind of fresh bananas may be made at the New York, N. Y., Philadelphia, Pa., and Baltimore, Md., auction markets shall be as follows:

(1) The maximum price per cwt., f. o. b. port of entry, as set forth in paragraph (a) of this section; plus.

(2) The actual transportation charges paid, figured at lowest available common or contract carrier rates, from the port of entry to the auction market where the fresh bananas are to be sold; plus

(3) \$1.00 per cwt. The resulting figure shall be the maximum price for sales at auction: *Provided*, That trade discounts and rebates for auction sales heretofore in effect shall be subtracted from the maximum price established by this paragraph for auction sales.

3. Section 1351.1253 (c) is amended by deleting the figure 1.085 therefrom and substituting \$1.00 per cwt. therefor.

4. Section 1351.1264 (a) (2) is amended to read as follows:

(2) "Importer" means any person, except a wholesaler as defined in § 1351.1253 (a), who imports fresh bananas from a country of origin into the United States or who makes the first sale thereof after such importation.

5. Column III, part (b) of the table in § 1351.1267 is amended by deleting the figure of 1.26 for sales on stem and 1.35 for sales in hands and substituting therefor the figures of 1.225 for sales on stem and 1.32 for sales in hands.

6. A new § 1351.1254a is added to read as follows:

§ 1351.1254a *Adjustment of maximum prices for sub-jobbers by appropriate Regional or District Office.* (a) In instances where there is additional handling outside of the free delivery zone of any wholesaler at any receiving point, any regional office of the Office of Price Administration, or such district office as may be authorized by such regional office, may make an adjustment, not to exceed 35 cents per cwt. over the maximum price for wholesalers, to provide for transportation costs from one wholesale receiving point to another such point.

This amendment shall become effective December 14, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19627; Filed, December 8, 1943;  
11:55 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,<sup>1</sup> Amdt. 12]

##### SPECIFIC MAXIMUM PRICES IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1418.363 (m) Table XIII is added to read as follows:

(m) Table XIII *Maximum prices for firewood in Anchorage and vicinity—*

17 F.R. 10581, 11012; 8 F.R. 23, 567, 2158, 2445, 6964, 3844, 8184, 12549, 13166, 14305.

(1) *Definitions.* When used in this table, the term:

(i) "Anchorage and vicinity" includes the city of Anchorage and the territory adjacent thereto within a radius of three miles.

(ii) "Carlot" means eighteen cords of four foot lengths.

(iii) "Cord" means one hundred twenty eight cubic feet.

(iv) "Firewood" means dry wood and such other wood cut from logs, as is suitable for fuel. It includes cordwood, but does not include slab-wood and mill ends.

(v) "Rick", if made up of sixteen inch lengths or less, means one-third of a cord. "Rick", if made up of more than sixteen lengths and not more than two foot lengths, means one-half of a cord.

(2) *Maximum prices.* The maximum prices for firewood sold by any person to a consumer in Anchorage and vicinity, delivered to the buyer's receiving point, shall be:

	Per cord	Per rick
16" or less.....	\$23.00	\$3.25
More than 16" but not more than 2'.....	22.00	12.00
More than 2' but not more than 4'.....	19.00	10.00

(3) *Rail delivery.* The maximum price for firewood in lengths of more than two feet but not more than four feet, delivered to and piled on railroad cars at points along the Alaskan Railroad for shipment to Anchorage, shall be \$13.75 per cord, less the carlot freight rate from the point of shipment to Anchorage.

(4) *Prohibited practices.* It shall be a prohibited practice within the meaning of § 1418.357 (a) of this regulation for a seller to offer firewood for sale only in rick quantities to a buyer desiring to purchase in cord quantities for the purpose of obtaining the higher price applicable to rick sales.

This amendment shall become effective December 14, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19623; Filed, December 8, 1943;  
11:54 a. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Corr. 2, Amdt. 53]

##### TRANSPORTATION OF IRON ORE ON GREAT LAKES

Section 7.14 (a) of Revised Supplementary Regulation No. 14 is hereby corrected by inserting therein the word "captive" before the words "and non-captive iron ore," and after the words, "and other categories of market, merchant,".

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 3050, 10659.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19624; Filed, December 8, 1943;  
11:54 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288; Amdt. 13]

##### SPECIFIC MAXIMUM PRICES IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1418.363 (n) Table XIV is added to read as follows:

(n) Table XIV *Maximum prices for fuel wood in Fairbanks and vicinity—*

(1) *Definitions.* When used in this table, the term:

(i) "Fairbanks and vicinity" includes the city of Fairbanks and the territory adjacent thereto within a radius of forty miles.

(ii) "Green wood" means all wood intended for fuel which has not been rossed or ringed, which was live timber at the time of cutting, and which has been cut within six months of the date of sale.

(iii) Ringed wood" means all wood intended for fuel from the circumference of which in standing state a strip of the bark not less than three inches wide has been removed not less than six months prior to felling.

(iv) "Rossed wood" means all wood intended for fuel the bark of which has been chipped or stripped and substantially removed.

(2) *Maximum prices for fuel wood.* The maximum prices for fuel wood in Fairbanks and vicinity shall be:

	Length	Price per cord felled and piled in woods of not accessible roads	Price per cord sold and delivered to ultimate consumer
Dry, rossed or ringed, other than birch.	16 inches to 16 feet.	\$10.00	\$17.00
Dry, rossed or ringed, not less than 80% birch.	16 inches to 16 feet.	10.00	18.00
Green wood.....	Any length.....	6.00	13.00

(3) *Maximum prices for sawing or buzzing.* The maximum price for sawing or buzzing any type of fuel wood into lengths of sixteen, twenty-four or forty-eight inches at the option of the owner, either in dealer or consumer lots, shall be \$3.00 per cord.

(4) *Prohibited practices.* It shall be a prohibited practice within the meaning of § 1418.357 (a) of this regulation

\*Copies may be obtained from the Office of Price Administration.

<sup>17</sup> 7 F.R. 10581, 11012; 8 F.R. 23, 567, 2158, 2445, 6964, 3844, 8184, 12549, 13166.

for a seller of fuel wood to make any charges for shrinkage, storage, extra haulage, special selection or credit, the effect of which is to evade the provisions of this paragraph.

This amendment shall become effective December 14, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9323, 8 F.R. 4681)

Issued this 7th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19569; Filed, December 7, 1943;  
4:30 p. m.]

#### TITLE 46—SHIPPING

##### Chapter II—Coast Guard: Inspection and Navigation

##### AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1384, 1544, 54 Stat. 1028 (46 U.S.C. 375, 391a, 404, 481, 489, 369, 367, 463a), and Executive Order 9083, dated February 8, 1942 (7 F.R. 1609), the following amendments to the Inspection and Navigation Regulations, and approval of miscellaneous items of equipment for the better security of life at sea are prescribed:

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

##### PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES: REGULATIONS DURING EMERGENCY

Section 153.6 (e) is hereby deleted and the following substituted instead:

§ 153.6 *Additional equipment for lifeboats on self-propelled ocean and coastwise vessels.*

(e) *First-aid kit.* (1) First-aid kits in all lifeboats constructed on and after January 1, 1944, shall be of an approved 24-unit type.

(2) All first-aid kits procured for use in lifeboats prior to January 1, 1944, which complied with the applicable regulations, need not be replaced, and may be continued in use, provided such first-aid kits are complete and in good and serviceable condition.

(3) Replacements of first-aid kits in all lifeboats subsequent to January 1, 1944, shall be of an approved 24-unit type.

Section 153.6a (a) (4) is hereby deleted and the following substituted instead:

§ 153.6a *Additional equipment for lifeboats on seagoing barges of 100 gross tons or over.* (a)

(4) *First-aid kit.* (i) First-aid kits in all lifeboats constructed on and after January 1, 1944, shall be of an approved 24-unit type.

(ii) All first-aid kits procured for use in lifeboats prior to January 1, 1944, which complied with the applicable regulations, need not be replaced, and may be continued in use, provided such first-

aid kits are complete and in good and serviceable condition.

(iii) Replacements of first-aid kits in all lifeboats subsequent to January 1, 1944, shall be of an approved 24-unit type.

Section 153.7 (h) is hereby deleted and the following substituted instead:

§ 153.7 *Additional equipment for life rafts approved prior to 15 March, 1943, for ocean and coastwise vessels.* \* \* \*

(h) *First-aid kit.* (1) First-aid kits in all life rafts constructed on and after January 1, 1944, shall be of an approved 24-unit type.

(2) All first-aid kits procured for use in life rafts prior to January 1, 1944, which complied with the applicable regulations, need not be replaced, and may be continued in use, provided such first-aid kits are complete and in good and serviceable condition.

(3) Replacements of first-aid kits in all life rafts subsequent to January 1, 1944, shall be of an approved 24-unit type.

Section 153.7a (m) is hereby deleted and the following substituted instead:

§ 153.7a *Equipment for life rafts approved on and after 15 March, 1943.* \* \* \*

(m) *First-aid kit.* (1) First-aid kits in all life rafts constructed on and after January 1, 1944, shall be of an approved 24-unit type.

(2) All first-aid kits procured for use in life rafts prior to January 1, 1944, which complied with the applicable regulations, need not be replaced, and may be continued in use, provided such first-aid kits are complete and in good and serviceable condition.

(3) Replacements of first-aid kits in all life rafts subsequent to January 1, 1944, shall be of an approved 24-unit type.

Section 153.14 is amended to read as follows:

§ 153.14 *Whistles and jackknives.* On all ocean and coastwise vessels of over 1,000 gross tons, each person employed thereon by the operator of the vessel shall be equipped with a police whistle and a sailor's jackknife of rugged construction, the blade of which shall be about 3 inches in length, with a sheep-foot point. The handle of the jackknife shall be fitted with a shackle for attaching a lanyard. Such knives and whistles shall be carried, when practicable, attached to life jackets or lifesaving suits. All whistles and jackknives provided for use on merchant vessels on and after January 1, 1944 shall be of an approved type. Such equipment procured prior to January 1, 1944, may be continued in service provided it is in good and serviceable condition.

##### PART 160—HULL CONSTRUCTION, ALTERATIONS

Part 160 is amended by the addition of a new § 160.5 reading as follows:

§ 160.5 *Vent lines for cargo tanks on ocean and coastwise vessels.* During the emergency, ocean and coastwise tank ves-

sels subject to §§ 32.7-4, 32.7-5, 32.7-6, and 32.7-9 of this chapter may be fitted with means for closing off the vent lines for salvage purposes consisting of valves, cocks or blanks. Such valves, cocks or blanks shall remain in the open position until required to be closed for salvage purposes.

#### MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following miscellaneous items of equipment for the better security of life at sea are prescribed:

#### CLEANING PROCESS FOR LIFE PRESERVERS

Filter-Vac cleaning process for approved kapok life preservers, Rug Renovating Co., Inc., Long Island City, N. Y.

#### FLEXIBLE EMBARKATION-DEBARKATION LADDER

Flexible embarkation-debarkation ladder (Dwg. No. 1741, dated 1 October, 1943, revised), submitted by L. A. Young Spring & Wire Corp., Oakland, Calif.

#### LIFEBOATS

24' x 8' x 3' 8 3/4" metallic motor-propelled lifeboat with independent air tanks (436 cu. ft. gross) (Construction and arrangement Dwg. No. 2628-2, dated 30 October, 1943, and specifications dated 30 June, 1943, revised 8 November, 1943), submitted by Wehn Davit & Boat Corp., Perth Amboy, N. J.

24' x 8' x 3' 8 3/4" metallic oar-propelled lifeboat with independent air tanks (436 cu. ft. capacity) (Construction and arrangement Dwg. No. 2628-4, dated 28 September, 1943, and specifications dated 29 June, 1943, revised 6 November, 1943), submitted by Wehn Davit & Boat Corp., Perth Amboy, N. J.

#### LIFE FLOAT

25-person elliptical balsa wood life float (Dwg. No. E-100, dated 10 September, 1943), manufactured by The Eclut Company, Farmingdale, N. Y.

#### LIFE PRESERVERS

Adult Navy type kapok life preserver No. 23-P-12 (Dwg. No. C-166, dated 1 January, 1943, revised 26 July, 1943, and accompanying specification), (Approval No. B-200), manufactured by The American Pad & Textile Company, Greenfield, Ohio.

Adult kapok life preserver, standard Navy type (Dwg. Nos. BU 83927, Alt. H, and 83928, Alt. G), and Bureau of Ships Ad Interim Specification 23-P-12 (INT) (Approval No. B-201), manufactured by Standard Handbags, Inc., Plainfield, N. J.

#### LIFE RAFTS

10-person, type "CSS", life raft (Dwg. No. 506, dated 22 July, 1942), designed by the Tregoning Boat Company, Seattle, Wash., and manufactured by The Hutchison Engineering Company, Portland, Oregon.

20-person, Taylor model #2, improved type life raft (Plan No. R 102, dated 11 April, 1943) manufactured by Peterson Manufacturing Co., Portland, Oregon, and arrangement with E. D. Taylor, Pasadena, Calif.

#### SAFETY VALVES

Consolidated type 1515-B safety valve for marine service (Assembly of 2 1/2" type 1515-B welded steam safety valve Dwg. No. S-6343, dated 27 September, 1943) (Maximum working pressure of 600 pounds per square inch and maximum temperature of 750° F.), manufactured by the Consolidated Safety Valve Division of the Manning, Maxwell & Moore, Inc., Bridgeport, Conn.

Consolidated type 1515-C safety valve for marine service (Assembly of 2 1/2" type 1515-B welded steam safety valve Dwg. No. S-6343, dated 27 September, 1943) (Maximum working pressure of 600 pounds for square inch and maximum temperature of 900° F.), manufactured by the Consolidated Safety Valve Division of the Manning, Maxwell & Moore, Inc., Bridgeport, Conn.

#### SEA ANCHORS

Sea anchor, type E (Dwg. No. 449, dated 12 November, 1943), submitted by Kent Marine Products Corp., West Babylon, N. Y.

Sea anchor (Coast Guard specification and Dwg. No. MMI-562, dated 1 November, 1943) submitted by Manhattan Splicing Company, New York, N. Y.

#### FIRE RETARDANT MATERIALS FOR VESSEL CONSTRUCTION

##### DECK COVERINGS FOR CLASS A-1 CONSTRUCTION

Manufacturer	Decking	Minimum thickness in inches	Pounds per sq. ft. for 1-inch thick
Asbestolith Mfg. Co., Brooklyn, N. Y.	Asbestolith	2	7.3
J. G. Britton, Lansdowne, Pa.	Atoz Type DCM	1 3/8	5.6
L. S. Case Co., San Francisco, Calif.	Case Magnesite	1 3/8	8.5
Consolidated Tile & Marble Co., New York, N. Y.	Co-Magnesite	1 3/8	7.8
Federal Lavarock Co., New York, N. Y.	Federalite	1 3/4	9.9
Flexotile Floor Co., Rockford, Ill.	Flexotile	2 1/4	(Marble 9.3. Gravel 10.0.)
Interstate Flooring & Construction Co., Philadelphia, Pa.	Celo-O-Crete	1 3/4	6.0
Kompolite Co., Inc., Brooklyn, N. Y.	Kompolite	1 3/4	8.0
Miller Marine Products, Inc., New York, N. Y.	Miller Marine	1 3/8	7.7
Minnesota Mining & Manufacturing Co., St. Paul, Minn.	3M Concrete Resurfacing Cement	1 3/4	0.5
National Tile & Marble Co., New York, N. Y.	Armorite	1 3/8 (underlay only)	4.7
		1 3/8 (underlay and 3/4" top coat.)	
Permastone, Inc., Washington, D. C.	Permastone	2	9.0
Raccolith Flooring Co., Seattle, Wash.	Raccolith	1 3/4	8.0
H. H. Robertson Co., Pittsburgh, Pa.	Hubbellite	1 3/8	8.3
Selby, Battersby & Co., Philadelphia, Pa.	Selbalith	1 3/8	0.0
S. S. Gill Co., Philadelphia, Pa.	Masterfloor	2 3/4	10.0 (approx.)
Thomas Moulding Floor Mfg. Co., Chicago, Ill.	Moulstone	1 3/4	5.0
Universal Zonolite Insulation Co., Los Angeles, Calif.	Zonolite	1 1/2 (rigid)	5.5
		1 1/2 (resilient)	6.0
William Lee Co., San Francisco, Calif.	Leetol	1 3/4	0.5

#### INSULANTS FOR CLASS A-1 CONSTRUCTION

##### IN CONJUNCTION WITH AN APPROVED CLASS B PANEL

Manufacturer	Insulant	Minimum thickness	Density, lbs. per cu. ft.	Type
Acoustics, Inc., Philadelphia, Pa.	Fibrespray	1 1/2	12	Plaster.
Baldwin-Hill Co., Trenton, N. J.	BH L3	1 1/2	8	Batts, blankets, or fill.
Baldwin-Hill Co., Trenton, N. J.	BH 3M	2	11	Batts, blankets, or fill.
Bird-Archer Co., Philadelphia, Pa.	Bacite	1	25	Plaster or precast blocks.
Eagle-Picher Sales Co., New York, N. Y.	Eagle Felt M-2	1 1/2	10	Fill.
Eagle-Picher Sales Co., New York, N. Y.	Eagle Felt M-2	2	8	Batts or blankets.
Johns-Manville Co., New York, N. Y.	202AA BX-4	1 1/2	8	Batts, blankets, or fill.
Johns-Manville Co., New York, N. Y.	BX-18	2	6	Batts, blankets.
Industrials, Inc., Chicago, Ill.	Atoz (Mica Base)	1	30	Plaster or precast blocks.
Keasbey & Mattison Co., Ambler, Pa.	Limpet sprayed asbestos	1 1/2	12	Sprayed asbestos fibers.
National Gypsum Co., Buffalo, N. Y.	Gold Bond Type 2	1 1/2	8	Batts, blankets or fill.
National Gypsum Co., Buffalo, N. Y.	Zerocel	2	6	Batts, blankets or fill.
Owens-Corning Fiberglas Corp., Newark, Ohio	Fiberglas Batts	1 1/2	14.2	Batts.
Philip Carey Co., Washington, D. C.	Fiberglas Cement	2	20	Plaster or precast blocks.
Philip Carey Co., Washington, D. C.	Rockwool	1 1/2	8	Batts, blankets, or fill.
		2	6	
		1 1/2	8	
O. W. Poe Co., Cleveland, Ohio	Resil-Rock	2	6	Batts, blankets, or fill.
		3	3.8	
		4	3.3	
Ruberoid Co., New York, N. Y.	LD-3 Mineral Felt	1 1/2	8	Batts, blankets, or fill.
Ruberoid Co., New York, N. Y.	Ruberoid LD-6	2	6	Batts, blankets, or fill.
Therminul Corp., Kalamazoo, Mich.	Therminul	1	18	Batts, blankets.
Tuco Products Co., New York, N. Y.	Zerocel	1 1/2	8	Batts, blankets, or fill.
(May be purchased in open market)	Expanded Vermiculite	2	6	Plaster or precast blocks.
		1	30	

#### PANELS FOR CLASS B BULKHEAD CONSTRUCTION

Manufacturer	Panel	Minimum thickness	Approx. wgt. lbs. per sq. ft.	Type
A. B. O. Steel Equipment Co., New York, N. Y.	A. B. O. Steel Marine Bulkhead Panel	3/4	3.1 (core)	Composition board with metal veneer.
American Rolling Mill Co., Middletown, Ohio	Steelex Bulkhead Panel			Hollow metal filled with approved insulation of thickness and density as given under "Insulants for Class A-1 Construction."



**FIRE RETARDANT MATERIALS FOR VESSEL CONSTRUCTION—Continued**  
**PANELS FOR CLASS B BULKHEAD CONSTRUCTION**

Manufacturer	Panel	Minimum thickness	Approx. wgt. lbs. per sq. ft.	Type
A. J. Bayer Co., Los Angeles, Calif.	Bayer Bhd 100.....	1½		Hollow metal filled with fiberglass (3 lbs. per cu. ft. density).
L. F. Dietz Assoc., New York, N. Y.	Dietz Marine.....	1	3.6	Metal faces, 8-ply asbestos air-cell fill.
Formica Insulation Co., Cincinnati, Ohio.	Formica.....	¾ (core)	2.9 (core)	Marinite core veneered.
Haskelite Mfg. Corp., Chicago, Ill.	Haskelite.....			Any approved Class B panel wood veneered.
Haskelite Mfg. Corp., Chicago, Ill.	Plymetal.....			Any approved Class B panel metal veneered.
E. F. Hauserman Co., Cleveland, Ohio.	Hauserman Marine Steel Bulkhead Panel.	1½ to 2		Hollow metal filled with approved insulation of thickness and density as given under "Insulants for Class A-1 Construction."
E. F. Hauserman Co., Cleveland, Ohio.	Hauserman Marine Steel Bulkhead Panel.	1		Hollow metal filled with approved Rockwool 12 lbs. per cu. ft. density.
Homosote Co., Trenton, N. J.	Pyrosote.....	1	6.0	Solid or laminated asbestos composition.
Johns-Manville Co., New York, N. Y.	Marinite.....	¾	2.9	Solid asbestos composition.
Keasbey & Mattison Co., Ambler, Pa.	"C" Board.....	¾	2.6	Solid asbestos composition.
Martin-Parry Co., York, Pa.	Martin-Parry Marine.....	2½	5.6	Hollow metal assembly.
James McCutcheon & Co., New York, N. Y.	Class B Panel.....	1½		Hollow metal filled with approved insulation of thickness and density as given under "Insulants for Class A-1 Construction."
Mills Co., Cleveland, Ohio.	Victory.....	1½ (core)		Firefoil core metal veneer.
Pantasote Co., New York, N. Y.	Sotestasbestoscement board.	1	4.7	Solid asbestos composition.
Parmentier Plywood Service, Philadelphia, Pa.	Parmarine.....	¾ to 1½ (core)		Any approved Class B panel wood veneered.
Philip Carey Co., Washington, D. C.	Firefoil.....	1½	3.8	Air-cell filler asbestos face sheets.
Philip Carey Co., Washington, D. C.	Firefoil.....	1	3.8	Air-cell filler metal veneer.
Porcelain Metals, Inc., Long Island City, N. Y.	Seaporcel.....	1½ to 2		Hollow metal filled with approved insulation of thickness and density as given under "Insulants for Class A-1 Construction."
S. H. Pomeroy Co., New York, N. Y.	Jackson Snap-In Panel.....	1½		Metal assembly with two ¾" asbestos millboard linings.
H. H. Robertson Co., Pittsburgh, Pa.	Keystone.....	1	3.8	Metal faces, 8-ply asbestos air-cell fill.
Saino Mfg. Co., Memphis, Tenn.	Saino Marine.....	¾	4.9	Metal faces sprayed vermiculite insulated.
Snead & Co., Jersey City, N. J.	Marine Board.....	1½ to 2		Hollow metal filled with approved insulation of thickness and density as given under "Insulants for Class A-1 Construction."
U. S. Gypsum Co., Chicago, Ill.	Marine Board.....	¾	3.1 (core)	Composition board with metal veneer.
Warren Veneer & Panel Co., Warren, Pa.	Warvenite.....	¾ (core)	2.9 (core)	Marinite core veneered.

**DAVIT**

Wellin gravity davit, Type 30-V (General Arrangement Dwg. No. 2649, revised 30 October, 1943) (Maximum working load of 6,500 pounds per arm), manufactured by the Wellin Davit & Boat Corp., Perth Amboy, N. J.

(This supersedes the listing of the Wellin gravity davit, Type 30-V, published in 8 F.R. 16038 on 26 November, 1943.)

R. R. WAESCHE,  
Commandant.

DECEMBER 6, 1943.

[F. R. Doc. 43-19537; Filed, December 7, 1943; 10:35 a. m.]

**TITLE 49—TRANSPORTATION AND RAILROADS**

**Chapter I—Interstate Commerce Commission**

[S. O. 80, Amdt. 16]

**PART 95—CAR SERVICE**

**GRAIN PERMITS**

At a session of the Interstate Commerce Commission, Division 3, held at its No. 244—7

office in Washington, D. C., on the 6th day of December, A. D. 1943.

Upon request of the Office of Defense Transportation and the Food Distribution Administration of the Department of Agriculture, and good cause appearing therefor: *It is ordered, That:*

Service Order No. 80, as amended (codified as § 95.19 of Title 49, CFR), is hereby continued in effect until December 31, 1944.

*It is further ordered, That* copies of this amendment be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement; and that notice of this amendment be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-19604; Filed, December 8, 1943; 11:42 a. m.]

*Notices*

**DEPARTMENT OF AGRICULTURE.**

**Rural Electrification Administration.**

[Administrative Order 789]

**ALLOCATION OF FUNDS FOR LOANS**

NOVEMBER 20, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
West Virginia 4010D3 Harrison.....	\$10,000

HARRY SLATTERY,  
Administrator.

[F. R. Doc. 43-19612; Filed, December 8, 1943; 11:22 a. m.]

[Administrative Order 790]

**ALLOCATION OF FUNDS FOR LOANS**

NOVEMBER 20, 1943.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Texas 4034S6 Wood.....	\$21,000
Texas 4128S1 Emory.....	22,000

HARRY SLATTERY,  
Administrator.

[F. R. Doc. 43-19613; Filed December 8, 1943; 11:22 a. m.]

**FEDERAL COMMUNICATIONS COMMISSION.**

[Docket No. 6562]

**CITY OF JACKSONVILLE, FLA. (WJAX)**

**NOTICE OF HEARING**

In re application of City of Jacksonville (WJAX); date filed August 23, 1943, for construction permit to install auxiliary transmitter; class of service, broadcast; class of station, broadcast; location, Jacksonville, Florida; operating assignment specified: Frequency, 930 kc., power, 100 w., hours of operation, for auxiliary purposes only.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942.

2. To determine whether, in view of the facts adduced under the foregoing

issue, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: City of Jacksonville, Radio Station WJAX, Municipal Building, No. 1 Broadcast Place, Jacksonville 2, Florida.

Dated at Washington, D. C., December 6, 1943.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-19600; Filed, December 8, 1943;  
11:14 a. m.]

[Docket No. 6563]

#### UPSTATE BROADCASTING CORP. (WNBZ)

##### NOTICE OF HEARING

In re application of Upstate Broadcasting Corporation (WNBZ); date filed, May 8, 1942; for renewal of license; class of service, broadcast; class of station, broadcast; location, Saranac Lake, New York; operating assignment specified; frequency, 1320 kc.; power, 100 w. (day); hours of operation, daytime.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the applicant is financially, technically and otherwise qualified to continue the operation of Station WNBZ.

2. To obtain full information respecting the manner in which and by whom, Station WNBZ has been and is now being operated, and the character of service that has been and is now being rendered.

3. To determine whether the licensee has, at all times, maintained control of the physical apparatus and the programs broadcast by Station WNBZ, as required by the Communications Act of 1934, as amended, and the Commission's Rules and Regulations.

4. To determine whether the license granted to Station WNBZ, or the rights and/or responsibilities incident thereto, have been, in any manner, either directly or indirectly, transferred, assigned or in any manner disposed of, without the consent of the Commission, as provided by the provisions of the Communications Act of 1934, as amended, and particularly section 310 (b) thereof.

5. To determine what agreements, contracts, options or instruments have

been executed relative to the transfer of stock in the licensee corporation, and especially any that may have been entered into by Carl F. Woese with H. Scott Kilgore, George H. LaPan, Andrew W. Callanan and E. M. Burnstein, or either of them.

6. To obtain full information with respect to all contracts, arrangements, or understandings, verbal or written, relative to or affecting the management, control, ownership, operation or financing of Station WNBZ.

7. To determine whether applicant, its officers and/or agents have reported to the Commission all of the contracts, options, agreements or understanding relative to the purchase of stock in licensee corporation or those affecting the management, operation or control of the physical apparatus and the programs broadcast by Station WNBZ, as required by the Commission's Rules and Regulations, particularly § 43.1 (formerly § 340.01).

8. To determine whether Station WNBZ has been operated by any person without a license granted by the Commission, in violation of the Communications Act of 1934, as amended, and particularly section 301 thereof.

9. To determine whether the licensee owns or controls the necessary physical equipment and apparatus for the continued operation of Station WNBZ.

10. To determine whether licensee, its officers and agents have failed or refused to furnish information requested and respond to inquiries submitted by the Commission, with respect to the operation of Station WNBZ and as to the financial affairs of the licensee corporation, as required by section 308 (b) of the Communications Act, as amended, and § 1.361 of the Commission's Rules.

11. To determine whether the operating power of Station WNBZ has at all times been determined by the direct measurement of antenna power in accordance with §§ 3.51 and 3.54 of the Commission's Rules.

12. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served by the continued operation of Station WNBZ.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Upstate Broadcasting Corporation, Radio Station WNBZ, 3 Olive Street, Saranac Lake, New York.

Dated at Washington, D. C., December 6, 1943.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-19601; Filed, December 8, 1943;  
11:14 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1966]

NAN-YO SHINJU KAISHA, LTD.

In re: 320 cultured pearls owned by Nan-Yo Shinju Kaisha, Ltd.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Nan-Yo Shinju Kaisha, Ltd., sometimes referred to as Nanyo Shinju Kaisha, Limited, is a business enterprise organized under the laws of Japan with its principal place of business in Tokio, Japan, and is a national of a designated enemy country (Japan);

2. That Nan-Yo Shinju Kaisha, Ltd. is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows: 320 cultured pearls on consignment from Nan-Yo Shinju Kaisha, Ltd. for the purpose of sale, presently located in the office of Mitsubishi Shoji Kaisha Ltd., 120 Broadway, New York, New York,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein con-

tained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 7, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-19583; Filed, December 8, 1943;  
10:58 a. m.]

[Vesting Order 2639]

EMIL G. ZEH

In re: Estate of Emil G. Zeh, deceased;  
file D-28-4236; E. T. sec. 7255.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl Witte, Executor, acting under the judicial supervision of the Essex County Orphans' Court, Essex County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Lina Dietz, Germany.  
Elise Schwinger, Germany.  
Anna Rebenack, Germany.  
Hedwig Rebenack, Germany.  
Meta Schwab, Germany.  
Emma Feiler, Germany.  
Gertrud Dorsch, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lina Dietz, Elise Schwinger, Anna Rebenack, Hedwig Rebenack, Meta Schwab, Emma Feiler, and Gertrud Dorsch, and each of them, in and to the estate of Emil G. Zeh, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should

be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 24, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-19591; Filed, December 8, 1943;  
10:54 a. m.]

[Vesting Order 2640]

HUGO VOLKENING

In re: Estate of Hugo Volkening, deceased. (File No. D-28-1660; E. T. sec. 505).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Littleton Fox, Administrator, c. t. a., acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Marie Mueller-Volkening, her lawful issue, names unknown, heirs-at-law and next-of-kin, names unknown, Germany.

Thea Sommerer, her heirs-at-law and next-of-kin, names unknown, Germany.

Alfred Volkening, his heirs-at-law and next-of-kin, names unknown, Germany.

Otto Volkening, his lawful issue, names unknown, his heirs-at-law and next-of-kin, names unknown, Germany.

Bertha Mueller-Volkening, her heirs-at-law and next-of-kin, names unknown, Germany.

Clara V. Boeckman, her heirs-at-law and next-of-kin, names unknown, Germany.

Rainer Boeckman, his heirs-at-law, and next-of-kin, names unknown, Germany.

Grete Vogel, her heirs-at-law and next-of-kin, names unknown, Germany.

Helmuth Vogel, his heirs-at-law and next-of-kin, names unknown, Germany.

Walter Vogel, his heirs-at-law and next-of-kin, names unknown, Germany.

Emily Volkening, Germany.

Lawful issue, names unknown, and heirs-at-law, next-of-kin, names unknown, of Clara Volkening, deceased, Germany.

Walter Volkening, also known as Kurt Volkening, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and Having made all determinations and taken all action, after appropriate consultation and

certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest and claim of any kind or character whatsoever of Marie Mueller-Volkening, Thea Sommerer and Alfred Volkening, and each of them in and to the estate of Hugo Volkening, deceased.

(b) All right, title, interest and claim of any kind or character whatsoever of Otto Volkening, his lawful issue, names unknown, his heirs-at-law and next-of-kin, names unknown; Thea Sommerer, her heirs-at-law, and next-of-kin, names unknown; Alfred Volkening, his heirs-at-law and next-of-kin, names unknown; Bertha Mueller-Volkening, her heirs-at-law and next-of-kin, names unknown; Clara V. Boeckman, her heirs-at-law and next-of-kin, names unknown; Rainer Boeckman, his heirs-at-law and next-of-kin, names unknown; Grete Vogel, her heirs-at-law and next-of-kin, names unknown; Helmuth Vogel, his heirs-at-law and next-of-kin, names unknown; Walter Vogel, his heirs-at-law and next-of-kin, names unknown; the lawful issue, names unknown, heirs-at-law and next-of-kin, names unknown, of Clara Volkening, deceased; and Emily Volkening; and each of them in and to the trust created under the last will and testament of Hugo Volkening, deceased.

(c) Bonds described as German 3% Funding Bonds, more particularly described as Series A-R. M. 10,000, Series B-R M. 15,000, Series C-R. M. 11,000 payable and deliverable to Walter Volkening also known as Kurt Volkening.

(d) 1.  $\frac{1}{2}$  royalty interest (of 20 acres) Rudco Teece Lease, Seminole County, Oklahoma.

2.  $\frac{1}{2}$  royalty interest (of 20 acres) Sallie Green Lease, Lincoln County, Oklahoma.

3. 0.0003125 royalty acres, Mayfield Lease, Smith County, Texas, now held by the administrator, c. t. a.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 26, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-19592; Filed, December 8, 1943;  
10:55 a. m.]

[Vesting Order 2641]

JOACHIM SCHUMACHER

In re: Trust under the will of Joachim Schumacher, deceased; File D-28-2395; E.T. sec. 3219.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Louis D. Otto, Hampton, Nebraska, and Adolph Dose, R. F. D. Hampton, Nebraska, Joint Trustees, acting under the judicial supervision of the County Court of the State of Nebraska, in and for the County of Hamilton;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

## Nationals and Last Known Address

Mrs. Maria Wilde, Germany.

Mrs. Wilhelmine Borgwardt, Germany.

Person or persons, names unknown, children of Mrs. Maria Wilde and Mrs. Wilhelmine Borgwardt, Germany.

## And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mrs. Maria Wilde, Mrs. Wilhelmine Borgwardt and person or persons, names unknown, children of Mrs. Maria Wilde and Mrs. Wilhelmine Borgwardt, and each of them, in and to the trust created under the will of Joachim Schumacher, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19593; Filed, December 8, 1943;  
10:55 a. m.]

[Vesting Order 2687]

NIELS LAURIDS POVLSEN

In re: Invention and disclosure thereof of Niels Laurids Povlsen.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Niels Laurids Povlsen is a citizen and resident of Denmark and is a national of a foreign country (Denmark);

2. That the invention and disclosure described in subparagraph 3 hereof are property of Niels Laurids Povlsen;

3. That the property described as follows:  
The disclosure identified as follows:

## TC-Number, Inventor, and Invention

TC-134 (a); Niels Laurids Povlsen; Chairs.

together with the entire right, title and interest throughout the United States and its territories in and to, together with the right to file applications in the United States Patent Office for Letters Patent for, the invention or inventions shown or described in such disclosure,

is property of a national of a foreign country (Denmark);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 30, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19595; Filed, December 8, 1943;  
10:56 a. m.]

[Vesting Order 2688]

MAYBACH-MOTORENBAU G. M. B. H.

In re: Invention and disclosure thereof of Maybach-Motorenbau G. m. b. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Maybach-Motorenbau G. m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Maybach-Motorenbau G. m. b. H.;

3. That the disclosure identified as follows:

## TC-Number, Inventor, and Invention

TC-288 (b); Karl Maybach; Spray Carburetor for Combustion Engines, Especially for Motor Vehicles.

together with the entire right, title and interest throughout the United States and its territories in and to, together with the right to file applications in the United States Patent Office for Letters Patent for, the invention or inventions shown or described in such disclosure,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on November 30, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19596; Filed, December 8, 1943;  
10:56 a. m.]

[Supplemental Vesting Order 2697]

DEUTSCHES HAUS, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found under Vesting Order Number 1721, dated June 21, 1943, that Deutsches Haus, Inc., an incorporated association organized under the laws of California, is a national of a designated enemy country (Germany);

2. Finding that Deutsches Haus, Inc., is the owner of the real property described in subparagraph 3;

3. That the property described as follows: An undivided one-half interest in that certain lot or parcel of land with the buildings and improvements and appurtenances thereto, situated in the County of Los Angeles, City of Los Angeles, State of California, and particularly described as follows:

Lot Sixteen (16) and northwest twenty-five (25) feet of Lot Fourteen (14) Block Two (2) Harvey Tract, County of Los Angeles, City of Los Angeles, State of California.

together with all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned by a national of a designated enemy country (Germany);

and determining:

4. That to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 2, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19598; Filed, December 8, 1943;  
10:55 a. m.]

[Supplemental Vesting Order 2701]

MOTOSHIGE SHOTEN, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 1824, dated July 17, 1943, that Motoshige Shoten, Ltd. is a national of a designated enemy country (Japan);

2. Finding that of the outstanding capital stock of Motoshige Shoten, Ltd., a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States, consisting of 3,000 shares having a par value of \$20 a share, 250 shares (8.33%) are owned by and registered in the names of the persons set out below in the number appearing opposite each name, and are evidence of an interest in said business enterprise:

Name:	Number of Shares
Tatsuo Motoshige.....	125
Hiroshi Motoshige.....	125
Total.....	250

3. Finding that Tatsuo Motoshige and Hiroshi Motoshige, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determination and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian 250 shares of the capital stock of Motoshige Shoten, Ltd., hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such prop-

erty or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 2, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19599; Filed, December 8, 1943;  
10:55 a. m.]

[Amendment of Vesting Order 921, as Amended]

HEITARO FUJITA

In re: Real property situated in Passaic County, New Jersey, owned by Heitaro Fujita.

Vesting Order Number 921 of February 17, 1943, as amended on September 18, 1943, is hereby amended as follows and not otherwise:

By the deletion of the comma at the end of the description of the property in paragraph 3 thereof, and by the substitution of a semi-colon therefor, and

By the addition of the language within brackets, hereinafter set forth, to the description of the property in paragraph 3 thereof, as follows:

Real property situated in the Township of Pompton, County of Passaic, State of New Jersey, particularly described in Exhibits A, B, C, D, E, F and G, attached hereto, and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property; [excepting and reserving out of the above described real property that portion or tract of land acquired by North Jersey District Water Supply Commission for Wanakee Reservoir, Section 1, in a certain proceeding entitled, "In the Matter of the Application of North Jersey District Water Supply Commission for the appointment of Three Commissioners to Fix the Compensation to be Paid for Certain Lands of Heitaro Fujita, Situated in the Borough of Ringwood, in the County of Passaic and State of New Jersey, to be Taken and Condemned for Public Use.", particularly described in Exhibit H, attached hereto and by reference made a part hereof, containing two hundred seventy-one and fifty-seven hundredths (271.57) acres, more or less,]

<sup>1</sup> Filed as part of the original document.



All other provisions of Vesting Order Number 921, as amended, and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., December 3, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-19584; Filed, December 8, 1943;  
10:54 a. m.]

[Amendment to Vesting Order 1548]

ROBERT BUZ

In re: Interest in real property and claim owned by Robert Buz.

Vesting Order Number 1548, dated May 27, 1943, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Robert Buz is Augsburg, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Robert Buz is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. The undivided  $\frac{1}{2}$  interest in real property situated in the City of Detroit, County of Wayne, State of Michigan, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property;

b. All right, title and interest of Robert Buz in and to that certain agreement executed on December 15, 1933 by and between Helen F. Isham, Grace F. Leggett, Robert Buz and Alexandra Buz Rabe as parties of the first part and Detroit Trust Company, Detroit, Michigan, as party of the second part, and

c. All right, title, interest and claim of any name or nature whatsoever of Robert Buz in and to any and all obligations owing to Robert Buz by Detroit Trust Company, Detroit, Michigan, arising by reason of an agreement dated December 15, 1933, pursuant to which said Detroit Trust Company manages the real property described in subparagraph 3-a hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b and 3-c hereof is necessary for the maintenance and safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consulta-

tion and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 6, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

EXHIBIT A

Re: Real property located at 2757-71 Woodward Ave., Detroit, Michigan, owned jointly by Robert Buz, Helen F. Isham, Grace F. Leggett and Alexander Buz Rabe Olspun.

All those certain pieces or parcels of land, situate, lying and being in the City of Detroit, County of Wayne, State of Michigan, known and described as follows, to-wit:

Lots one and two (1 and 2) and the North-easterly six and seventy-one one-hundredths (6.71) feet of Lot three (3) of the Plat of the Subdivision of Lots 1, 2, 3 and 4 of the Subdivision of Park Lot seventy-five (75), according to the plat thereof recorded in Liber 22 of Plats on page 14, Wayne County Register of Deeds Office.

[F. R. Doc. 43-19585; Filed, December 8, 1943;  
10:54 a. m.]

[Amendment of Vesting Order 1861]

CHARLES E. LORENZ VS. EMIL LORENZ

Vesting Order Number 1861 dated July 21, 1943 is hereby amended as follows:

In re: Partition proceedings: Charles E. Lorenz, plaintiff, vs. Emil Lorenz, et al., defendants, filed in the Circuit Court of

Wood County, West Virginia, In Chancery, Case No. 1085, filed April 8, 1942; File F-28-13347; E.T. sec. 4289.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is involved in partition proceedings in the Circuit Court of Wood County, West Virginia, entitled, Charles E. Lorenz, Plaintiff, vs. Emil Lorenz, et al., Defendants, In Chancery, Case No. 1085, filed April 8, 1942;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Erwin Lorenz, Germany.  
Emilie Unger, Germany.  
Udo Schneider, Germany.  
Minna Briesowsky, Germany.  
Paul Belger, Germany.  
Hedwig Lorenz, Germany.  
Emil Lorenz, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Erwin Lorenz, Emilie Unger, Udo Schneider, Minna Briesowsky, Paul Belger, Hedwig Lorenz and Emil Lorenz, and each of them, in and to the proceeds from the sale of the real property involved in the above partition proceedings,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have



the meanings prescribed in section 10 of said Executive order.

Dated: December 3, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-19586; Filed, December 8, 1943;  
10:54 a. m.]

[Amendment to Vesting Order 2086]

JOSEPH V. IOVINE

In re: Real property owned by Joseph V. Iovine, also known as Giuseppe V. Iovine.

Vesting Order Number 2086, dated September 3, 1943, hereby amended to read as follows and not otherwise:

By deleting the words "and bank account" where such words appear in pages one and two of said Vesting Order Number 2086.

All other provisions of said Vesting Order Number 2086 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 6, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-19588; Filed, December 8, 1943;  
10:54 a. m.]

[Amendment of Vesting Order 2226]

BERTHA BELLE PICK

Whereas pursuant to Vesting Order Number 2226 of September 20, 1943, the undersigned purported to vest all right, title, interest and claim of any kind or character whatsoever of "Alfred Guido Hartmann" in and to the Estate of Bertha Belle Pick, deceased; and

Whereas through clerical error the name "Alfred Guido Hartmann" appears in such vesting order as "Alfred Guido Bartmann";

Now, therefore, Vesting Order Number 2226 is hereby amended by substituting the name "Alfred Guido Hartmann" for "Alfred Guido Bartmann" in such vesting order.

All other provisions of said Vesting Order Number 2226 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 30, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-19589; Filed, December 8, 1943;  
10:56 a. m.]

[Amendment of Vesting Order 2612]

FRED HEUCHEL

In re: Estate of Fred Heuchel, deceased; File D-28-3811; E. T. sec. 6433.

Whereas a typographical error appears in line five of the second complete para-

graph on page two of Vesting Order Number 2612, namely, the word "of" is used instead of the word "or";

Now, therefore, Vesting Order Number 2612 is hereby amended as follows and not otherwise:

The word "of" in line five of the second complete paragraph on page two is deleted and the word "or" is substituted in lieu thereof. The paragraph referred to herein will now read as follows:

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

All other provisions of such Vesting Order Number 2612 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Dated: December 6, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-19590; Filed, December 8, 1943;  
10:54 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order A-1, Amdt. 20]

### PYROPHYLLITE

#### MODIFICATION OF MAXIMUM PRICES

Amendment No. 20 to Order No. A-1 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying Amendment No. 20 to Order No. A-1 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Order No. A-1 is amended by adding a new paragraph (a) (18) to read as follows:

(18) *Modification of maximum prices for pyrophyllite.* (i) Specific authority is hereby granted to any producer making sales of pyrophyllite to add an amount not in excess of \$0.40 per net ton to his established maximum f. o. b. factory price.

(ii) Any person purchasing pyrophyllite for the purposes of resale at the price set forth in subdivision (i) above, may add to his presently established maximum price an amount not in excess of \$0.40 per net ton.

This amendment shall become effective December 8, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December, 1943.

CHESTER BOWLES,  
*Administrator.*

[F. R. Doc. 43-19556; Filed, December 7, 1943;  
12:12 p. m.]

## Regional and District Office Orders.

[Region VII Order G-9 Under RMFR 122,  
Amdt. 1]

### SOLID FUELS IN ROCKY FORD, COLO., AREA

Revised Order No. G-9 under Revised Maximum Price Regulation 122, Amendment No. 1. Solid Fuels Sold and Delivered by Dealers. Maximum prices for certain solid fuels sold and delivered in the Rocky Ford area of the State of Colorado.

Pursuant to the Emergency Price Control Act of 1942, as Amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reason set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraph (c), *Specific maximum prices*, is hereby amended by designating the same subparagraph (1) and adding thereto a new subparagraph to read as follows:

(2) *Service charges incidental to delivery.* If delivery is made to a place where the physical conditions will not permit unloading direct from truck or other transportation vehicle into storage bin or other receiving place, or if it is necessary to pull the coal back in the bin or otherwise rehandle the same in order to complete delivery, an additional charge for such service may be made, not, however, to exceed the charge customarily made for such service during the month of December, 1941; and such service charge shall be separately stated on the invoice or sales slip covering the transaction.

*Effective date.* This Amendment No. 1 shall be effective retroactively as of November 9, 1943, the effective date of Revised Order No. G-9 which it amends.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of November 1943.

CLEM W. COLLINS,  
*Regional Administrator.*

[F. R. Doc. 43-19571; Filed, December 7, 1943;  
4:37 p. m.]

[Region VII Order G-13 Under RMFR 122,  
Correction]

### SOLID FUELS IN GRAND JUNCTION, COLO., AREA

Correction to Order No. G-13 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for certain solid fuels sold and delivered by dealers in the Grand Junction area.

Part 2, Table I is corrected in the following respect:

The yard price to dealers, sub-district 15 Grand Junction #1, 3" lump should read \$6.30

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.)

Issued this 20th day of November 1943.

CLEM W. COLLINS,  
Regional Administrator.

[F. R. Doc. 43-19572; Filed, December 7, 1943;  
4:38 p. m.]

[Region VIII Order G-3 Under RMPR 122,  
Amdt. 1]

#### **BITUMINOUS COAL IN SEATTLE, WASH.**

Amendment No. 1 to Order No. G-3 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Adjusted maximum prices for certain types of sales of bituminous coal by dealers located at Seattle, Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered that the order issued herein on September 3, 1943 be amended in the following particulars:

(a) Paragraph (a) of said order is amended to read as follows:

-(a) (1) Except as provided in paragraph (2) below, the adjusted maximum delivered prices at which dealers located at Seattle, Washington, may sell bituminous coal to industrial, institutional and governmental consumers pursuant to contracts, hereafter entered into, to supply the consumer all or a part of the consumer's needs for one year, shall be determined by adding to net landed cost the hereinafter stated applicable margins:

Annual requirements of industrial institutional and Governmental consumers:		Margin
1,000 tons and up	-----	\$2.25
500-999 tons	-----	2.50
100-499 tons	-----	2.75
25-99 tons	-----	3.00

The above maximum prices are for dump deliveries. An addition of 25¢ per net ton may be made for shovel-off deliveries.

(2) The adjusted maximum delivered price at which dealers located at Seattle, Washington, may sell bituminous coal to Luther Burbank School on Mercer Island, shall be determined by adding to net landed cost a margin of \$3.25 per ton for dump deliveries. An addition of 25¢ per ton may be made for shovel-off deliveries.

(3) "Net landed cost" as herein used, means the price paid by the dealer for the particular coal, not to exceed the applicable maximum price, plus the actual transportation costs to the dealer's yard, dock or other terminal facilities, not to exceed the lowest common carrier rate for the type of transportation used.

(b) Paragraph (c) of said order is hereby redesignated as paragraph (d) and the following new paragraph (e) is inserted.

(e) Where delivery into the buyer's basement bin or other storage facility can be effected only by carrying the coal from dealer's truck, the maximum price may be increased by a packing charge of \$1.00 per ton for the first 170 feet or less which the coal is carried on the level, plus 35¢ per ton each additional 75 feet or fraction thereof. Each step up or down shall count as 10 feet on level. Each foot of rise or fall of incline shall count as 20 feet on the level.

(c) This amendment to Order No. G-3 shall become effective November 10, 1943.

(56 Stat. 23, 765; Pub. Law 181, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of November 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19573; Filed, December 7, 1943;  
4:37 p. m.]

[Region VIII Order G-70 Under 18 (c)]

#### **ALFALFA MEAL IN NEVADA**

Order No. G-70 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Adjusted maximum prices for sales of alfalfa meal in the state of Nevada.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation; *It is hereby ordered:*

(a) The adjusted maximum price of processors whose mills are located in the state of Nevada for sales of sun-cured alfalfa meal in bulk, in carload lots f. o. b. mill, shall be as follows:

(1) For such sales of No. 1 alfalfa meal:

Type of meal and adjusted maximum price per ton

Alfalfa leaf meal	-----	\$46.50
Alfalfa meal, not less than 14% protein content:	-----	
Fine ground	-----	38.50
Medium ground	-----	36.50
1/4" screen	-----	37.00
1/8" screen	-----	37.50
Alfalfa meal of 15%, but less than 20% protein:	-----	
Fine ground	-----	40.50
Medium ground	-----	38.50
1/4" screen	-----	39.00
1/8" screen	-----	39.50
Alfalfa stem meal	-----	26.50

(2) For such sales of No. 2 alfalfa meal, deduct \$2.00 per ton from the applicable prices specified in paragraph (a) (1) above.

(3) For such sales of sample grade alfalfa meal, deduct \$4.00 per ton from the prices as specified in paragraph (a) (1) above.

(b) The adjusted maximum price for sales of alfalfa meal in bulk, f. o. b. processor's mill, in less than carload lots by processors to wholesalers, retailers, or feeders shall be as follows:

(1) For such sales of any amount to a wholesaler, or of five tons or more to any other buyer, add \$1.00 per ton to the prices specified in paragraph (a) above.

(2) For such sales of less than five tons to retailers or feeders, add \$2.00 per ton to the prices specified in paragraph (a) above.

(c) The adjusted maximum price for sales of alfalfa meal in sacks by processors shall be the applicable prices as specified in paragraphs (a) and (b) above, plus the following additions:

(1) For such sales in sacks provided by the seller, add an amount not to exceed the maximum price for sacks established therefor under any applicable Maximum Price Regulation issued by the Office of Price Administration.

(2) For such sales in new or recleaned sacks provided by the buyer, add \$0.50 per ton.

(3) For such sales in sacks of any other kind provided by the buyer, add \$1.00 per ton.

(d) The adjusted maximum price for sales of alfalfa meal by jobbers delivered to the buyer's customary receiving point shall be the maximum price of the processor as specified in paragraphs (a) and (c) above from whom the particular meal was purchased, plus actual transportation costs incurred by the jobber, plus a mark-up of \$1.00 per ton.

(e) The adjusted maximum prices for sales of alfalfa meal by any other person, including any person who sells to feeders, shall be the applicable maximum prices as specified in paragraphs (a) and (c) above, plus the actual transportation cost from the processor's mill located "nearest freightwise" to the seller's business location, plus the following mark-ups:

	Per ton
Less than one ton	----- \$7.50
One ton and less than three tons	----- 7.00
Three tons or more	----- 6.50

(f) The maximum delivered price for alfalfa meal produced outside the state of Nevada and sold by any person for resale or consumption within the state of Nevada shall be the applicable prices as specified in paragraphs (a) and (c) above plus the actual transportation cost from the Nevada mill "nearest freightwise" to the buyer's customary receiving point: *Provided*, That in no event shall the price to feeders exceed that provided in paragraph (e) above.

(g) *Definitions.* (1) "Alfalfa meal" means the product obtained from the grinding of the entire alfalfa hay, without the addition of any alfalfa stems, alfalfa straw, or foreign material, or the abstraction of leaves. It must be reasonably free from other crop plants and weeds, and must not contain more than 33 per cent of crude fibre.

(2) "Alfalfa stem meal" means the ground product remaining after the separation of the leafy material from alfalfa hay or meal. It must be reasonably free from other crop plants and weeds.

(3) "Alfalfa leaf meal" means the product from the grinding of alfalfa hay consisting chiefly of leafy materials sep-

arated from alfalfa hay or meal, of a minimum protein content of 20% and a maximum fibre content of 18%.

(4) "Processor" means any person who produces alfalfa meal for sale.

(5) "Feeder" means any person who buys alfalfa meal to feed livestock or poultry.

(6) "Jobber" means a person who buys alfalfa meal and resells the same without unloading into a warehouse.

(7) "Wholesaler" means any person who buys alfalfa meal and unloads it into a warehouse and resells same to a retailer or to any other person for resale. A processor shall not be deemed a wholesaler.

(8) "Retailer" means any person who buys alfalfa meal and who sells same to a feeder.

(9) "Nearest freightwise" means the alfalfa meal mill, whether or not the actual supplier, with the lowest freight rate from said mill to buyer's customary receiving point.

(10) "Actual transportation cost" means lowest common or contract carrier rate from the processor's mill to the seller's business location.

(h) Insofar as this order is inconsistent with the provisions of any previous order issued by this office, this order supersedes any such other order.

This order shall become effective November 6, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 2d day of November 1943.

LEO F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19574; Filed, December 7, 1943;  
4:38 p. m.]

[Region VIII Order G-76 Under 18 (c)]

#### FIREWOOD IN DESIGNATED AREAS OF SPOKANE COUNTY, WASH.

Order No. G-76 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Certain firewood in designated areas of Spokane County, Washington, outside of the City of Spokane.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) With respect to certain sales and deliveries of certain specified kinds of firewood in those areas of Spokane County, Washington, hereinafter described, the maximum prices established by sections 2 and 3 of the General Maximum Price Regulation, or by any previous order issued pursuant to such regulation, or to any supplementary regulation thereto, are hereby adjusted so that the maximum prices therefor shall be the prices set forth in paragraph (b).

(b) Where deliveries are made in the several areas hereinafter described, the maximum prices for sales of green or dry fir, tamarack, and pine forest wood delivered to the consumer's premises shall

be those prices set forth below opposite the particular description of each such area:

Area	Maximum price per cord for 4-foot wood	Maximum price per cord for wood in 16-inch lengths or shorter
The cities of Cheney, Medical Lake, and Spangle, Wash., and all areas within 5 miles of each said city.....	\$11.00	\$13.00
The city of Deer Park, Wash., and an area within 5 miles thereof.....	10.00	12.00
The city of Latah, Wash., and an area within 5 miles thereof.....	11.00	13.00
The following sections located in Spokane County, Wash., and containing the community center of Tyler: Secs. 4 and 5, Tp. 22 North, Rge. 40 East, W. M., and Secs. 32 and 33, Tp. 23 North, Rge. 49 East, W. M., and all areas within 4 miles of any such section.....	10.00	12.00

(c) If in March, 1942, the seller had an established practice of giving allowances, discounts, or other price differentials to certain classes of purchasers, he must continue such practice, and the maximum prices fixed by this order must be reduced to reflect such allowances, discounts, and other price differentials.

(d) Lower prices than the maximum prices established by this order may be charged, demanded, offered, or paid.

(e) Violations of this order shall subject the violator to all of the criminal and civil penalties provided by the Emergency Price Control Act of 1942, as amended.

(f) This order may be revoked, amended, or corrected at any time. This order shall become effective upon its issuance.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of November 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19575; Filed, December 7, 1943;  
4:37 p. m.]

[St. Louis Order 1 Under MPR 5-8]

#### FOOD ITEMS AND MEALS IN ST. CHARLES, Mo.

##### Correction

In F.R. Doc. 43-19063, appearing at page 16183 of the issue for Tuesday, November 30, 1943, in Appendix A the price for grapefruit juice under Group V (third column, page 16184) should read ".15".

#### SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-725, 59-11, 59-17, and 54-25]

NORTHERN INDIANA PUBLIC SERVICE CO.,  
ET AL.

##### ORDER DENYING MOTION, ETC.

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 7th day of December 1943.

In the matter of Northern Indiana Public Service Company, La Porte Heat Corporation, File No. 70-725; The United Light and Power Company, et al., La Porte Gas and Electric Company, File Nos. 59-11, 59-17 and 54-25; Application No. 16.

The United Light and Power Company, a registered holding company, and La Porte Gas and Electric Company (La Porte), a subsidiary thereof, having filed applications and declarations and amendments thereto pursuant to sections 11, 12(c), 12(d) and 12(f) of the Public Utility Holding Company Act of 1935, and Rules U-42, U-43, U-44 and U-46 promulgated thereunder, with respect to the sale by La Porte of its electric, gas and heat properties to Northern Indiana Public Service Company (Northern), a subsidiary of Clarence A. South-erland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, and La Porte Heat Corporation (Heat Corporation) a subsidiary of Northern, and with respect to the dissolution and liquidation of La Porte; and

Northern and Heat Corporation having filed applications and declarations and amendments thereto, pursuant to Sections 6 (b), 9 (a), 10 and 12 of the Act and Rule U-44 promulgated thereunder, with respect to the issue and sale by Northern of \$1,400,000 principal amount of serial notes of a maturity of seven years or less, and by Heat Corporation of 3,750 shares of its common stock of the par value of \$100 per share, and with respect to the acquisition by Northern of such common stock and the acquisition by Heat Corporation of the heat properties of La Porte; and

The City of La Porte, Indiana, having filed a motion requesting the Commission to defer action on the pending applications and declarations until such time, among other matters, as the question of acquisition of the properties by the City may be submitted to the voters at an election and until proceedings instituted by the City for judicial review of the orders by the Public Service Commission of Indiana approving the transactions have been completed; and

A public hearing having been held after appropriate notice; the Commission having considered the record and having made and filed its Findings and Opinion herein;

*It is ordered*, That the motion filed by the City of La Porte be, and hereby is, denied;

*It is further ordered*, That the said declarations, as amended, be and hereby are permitted to become effective, and that the said applications as amended, be and hereby are granted, subject to the terms and conditions contained in Rule U-24 of the General Rules and Regulations and the following additional condition:

That, at the time of recording the La Porte assets on its books, Northern provide a "reserve for adjustment of utility plant" by a charge to earned surplus in the amount of \$536,591 (being the present estimate of account 100.5), such re-

serve to be used to eliminate the amount of plant acquisition adjustments ultimately found to result from the proposed transactions by the regulatory authorities having jurisdiction in the matter. In the event that the reserve should prove excessive, any unused balance may be reversed to earned surplus.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 43-19614; Filed, December 8, 1943;  
11:28 a. m.]

[File Nos. 70-684 and 54-86]

THE TWIN STATE GAS & ELECTRIC CO.,  
ET AL.

INTERIM ORDER GRANTING APPLICATION IN  
PART SUBJECT TO RESERVATION OF JURIS-  
DICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of December 1943.

In the matter of The Twin State Gas & Electric Company, Public Service Company of New Hampshire, Central Vermont Public Service Corporation, New England Public Service Company, File No. 70-684; The Twin State Gas & Electric Company, Central Vermont Public Service Corporation, New England Public Service Company, File No. 54-86.

Central Vermont Public Service Corporation, a subsidiary of New England Public Service Company, a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of 6 (a) of said Act of the issuance and sale of 197,954 shares of common stock without par value of which 195,000 shares of the common stock are to be sold at competitive bidding pursuant to the requirements of Rule U-50; and

The Commission having made and filed its findings and opinion herein;

*It is hereby ordered*, That the aforesaid applications as amended be and hereby are granted with respect to the issuance and sale of 197,954 shares of common stock by Central Vermont Public Service Corporation for the purpose of submitting 195,000 shares of common stock to competitive bidding, subject however to the provisions prescribed in Rule U-24 and subject also to the additional terms and conditions:

1. That the proposed issuance and sale of securities shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record as so completed, which order may contain such further terms or conditions as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof in connection with the proposed transaction;

2. That the proposed issue and sale shall not be consummated until such issue and sale shall have been expressly authorized by the Public Service Commission of the State of New Hampshire;

3. That the conditions of this Commission's order of November 25, 1943 herein shall be fulfilled.

4. Until such time as Central Vermont shall have transferred \$243,113.91 (being an amount equal to the difference between the aggregate minimum liquidation value of the 37,856 outstanding shares of its Preferred Stock, \$6 Dividend Series, exclusive of 4 shares now held in the treasury of the Company, and the amount at which such shares are entered on its books) from earned surplus to preferred capital stock account, no dividends shall be paid on common stock of Central Vermont except dividends payable in common stock, unless for the entire period from the effective date of the merger to the end of the calendar month preceding the month in which such declaration is made, earnings applicable to the common stock shall have been retained to an accumulated amount equal to the total obtained by computing the retention for each full calendar year of the period (and on a pro rata basis for any fractional part of a calendar year) on the following basis:

*Percentage of earnings retained*

Yearly earnings applicable to each share of Common Stock as per books:

First \$1	None
Over \$1	50

From the earnings so retained, when the sum thereof shall equal \$243,113.91, there shall be transferred from earned surplus to preferred capital stock account an amount equal to such retention: *Provided*, That at the option of the company transfers to preferred capital stock account may be made from time to time and that the aggregate amount of all such transfers shall not exceed \$243,113.91.

*It is further ordered*, That applicant's request for shortening of the ten-day period required by Rule U-50 (b) be and the same is hereby granted and that such period is shortened to not less than six days.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 43-19615; Filed December 8, 1943;  
11:28 a. m.]

[File No. 811-442]

SHERATON CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of December, A.D., 1943.

In the matter of Standard Equities Corporation now known as Sheraton Corporation, File No. 811-442.

An application having been filed by Standard Equities Corporation, now known as Sheraton Corporation, pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said Act;

*It is ordered*, Pursuant to section 40 (a) of said Act, that a hearing on the aforesaid application be held on December 13, 1943, at 10:00 a. m., Eastern War Time, in Room 318 of the Securities and Ex-

change Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

*It is further ordered*, That Charles P. Reeder, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 43-19616; Filed, December 8, 1943;  
11:28 a. m.]

[File No. 70-827]

JERSEY CENTRAL POWER & LIGHT COMPANY

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 7th day of December 1943.

Notice is hereby given that an application or declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Jersey Central Power & Light Company, a subsidiary of NY PA NJ Utilities Company, a registered holding company.

Notice is further given that any interested person may, not later than December 22, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application or declaration, as filed or as amended, may be granted or become effective, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application or declaration which is on file in the offices of said Commission, for a statement of the transaction therein proposed, which is summarized below:

Jersey Central Power & Light Company is presently the obligor on certain serial notes, originally issued in the total aggregate face amount of \$5,300,000. Through installment payments and prepayments, the total face amount has been reduced so that presently these notes aggregate only \$2,650,000, the interest on the notes presently being 3% per annum. The obligees on these notes

are The Chase National Bank and Central Hanover Bank and Trust Company, each holding one-half of the aggregate face amount of the notes outstanding. With the agreement of the obligees, and in consideration of certain prepayments, it is proposed to reduce the interest on the notes to 2¼% per annum. The filing indicates that, while the original issuance of the notes was subject to the New Jersey Board of Utility Commissioners, in the opinion of counsel to Jersey Central Power & Light Company, the alteration proposed in the instant filing is not subject to the jurisdiction of that commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-19617; Filed, December 8, 1943;  
11:28 a. m.]

## SELECTIVE SERVICE SYSTEM.

[Camp Order 34-A]

### PATUXENT CAMP PROJECT, MARYLAND ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, by virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Supp. 301-318, inclusive); E.O. No. 8675, 6 F.R. 831, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission under Administrative Order No. 26, 7 F.R. 10512, hereby designate the Patuxent Camp Project to be work of national importance, to be known as Civilian Public Service Camp No. 34. Said camp, located at Bowie, Prince Georges County, Maryland, will be the base of operations for fish and wildlife and forestry work in the State of Maryland, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to said Patuxent Camp will consist of the construction of a dam for the impoundment of a twenty-five acre lake, construction and maintenance of roads and trails for service and fire protection, maintenance of an experimental nursery, clearance of compartment lines, road, and trail right-of-ways, construction of roads, trails and fire lanes, general improvement of wildlife breeding grounds by the control of flood waters, the construction of a series of fish rearing ponds, and general improvement work on the area, and shall be under the technical direction of the Fish and Wildlife Service of the Department of the Interior insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service

Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

The effect of this order is designed to constitute a change of project name and post office location. The administration and supervision will remain the same as designated in Order No. 34, dated May 13, 1942.

LEWIS B. HERSHEY,  
Director.

DECEMBER 4, 1943.

[F. R. Doc. 43-19603; Filed, December 8, 1943;  
11:11 a. m.]

[Camp Order 128]

### LAPINE PROJECT, OREGON

#### ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, by virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Supp. 301-318, inclusive); E.O. No. 8675, 6 F.R. 831, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission under Administrative Order No. 26, 7 F.R. 10512, hereby designate the Lapine Project to be work of national importance, to be known as Civilian Public Service Camp No. 128. Said camp, located at Lapine, Deschutes County, Oregon, will be the base of operations for reclamation work in the State of Oregon, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 128 will consist of construction of impounding and diversion dams, reservoir clearance, forest fire fighting and the fire suppression program, and shall be under the technical direction of the Bureau of Reclamation of the Department of Interior insofar as concerns the planning and direction of the work program. This Bureau will also be responsible for housing, feeding, clothing, discipline and provision of necessary medical and dental care. Men shall be assigned to, and retained in camp, in accordance with the provisions of the Selective Training and Service Act of 1940, and regulations and orders promulgated thereunder. Supervision and control of the Lapine Project shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

The effect of this order is designed to constitute a change of administration of

this camp from the National Service Board for Religious Objectors to the Bureau of Reclamation of the Department of the Interior. The location of the camp and the project remain the same as designated in Order No. 60, dated October 7, 1942, which is hereby rescinded.

LEWIS B. HERSHEY,  
Director.

DECEMBER 4, 1943.

[F. R. Doc. 43-19602; Filed, December 8, 1943;  
11:11 a. m.]

## WAR PRODUCTION BOARD.

### NEHI BOTTLING COMPANY

#### CONSENT ORDER

E. R. Cline of Beckley, West Virginia, doing business as Nehi Bottling Company, engaged in the bottling and distribution of non-alcoholic beverages, was found in an investigation by the War Production Board on August 20, 1943, to have used 5,795 gross of new closures of restricted materials, for the period from June 1, 1943 to August 20, 1943, for the bottling of malt beverages and/or non-alcoholic beverages in excess of the quota permitted under the provisions of Conservation Order M-104 and in violation thereof. E. R. Cline admits the violation as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of E. R. Cline, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) E. R. Cline, his successors or assigns, doing business as Nehi Bottling Company, or under any other name, shall not use new closures made of restricted materials for the period from the date of issuance of this order to July 1, 1944, and from July 1, 1944 to October 1, 1944, it shall reduce its use of new closures made of restricted materials by 1,293 gross, under the quota he would otherwise be entitled to use in such period, as defined by Conservation Order M-104, to be affixed to glass containers for malt and/or non-alcoholic beverages, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve E. R. Cline, his successors or assigns, doing business as Nehi Bottling Company, or under any other name, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of the date of issuance, and shall expire on October 1, 1944.

Issued this 7th day of December, 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19567; Filed, December 7, 1943;  
3:03 p. m.]

